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June 4, 2004

VIA HAND DELIVERY

Ms. Deborah Taylor Tate, Chairman
TENNESSEE REGULATORY AUTHORITY
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: *Tennessee Coalition of Rural Incumbent Telephone Companies and Cooperatives Request for Suspension of Wireline to Wireless Number Portability Obligations Pursuant to Section 251(f)(2) of the Communications Act of 1934, as Amended*
Docket No. 03-00633

Dear Chairman Tate:

Enclosed for filing in the above-referenced docket are fourteen copies of the Coalition's testimony. Please file thirteen of these copies and date stamp the fourteenth one and return it to me by way of our courier.

The testimony of David Dickey on behalf of Century Tel is unsigned due to his travel schedule, and we will submit a signed copy of the testimony as soon as possible.

Should you have any questions with respect to this filing, please do not hesitate to contact me at the number shown above.

Ms. Deborah Taylor Tate, Chairman
June 4, 2004
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Thank you in advance for your assistance with this matter.

Sincerely,

Tara L. Swafford

TLS:bb
Enclosures

cc: Tim Phillips, Esq.
Melvin Malone, Esq.
Ed Phillips, Esq.
Mr. Bruce Mottern
Thomas Moorman, Esq.
Stephen Kraskin, Esq.

**Before the
TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee**

In the Matter of)	
)	
Tennessee Coalition of Rural)	Docket No. 03-00633
Incumbent Telephone Companies)	
And Cooperatives)	
Request for Suspension of Wireline to)	
To Wireless Number Portability Obligations)	
Pursuant to Section 251(f)(2) of the)	
Communications Act of 1934, as Amended)	

NOTICE OF FILING

The Tennessee Coalition of Rural Incumbent Telephone Companies and Cooperatives

hereby gives notice of the filing of the following testimony:

- Testimony of Terry Wales on behalf of Ardmore Telephone Company, Inc.
- Testimony of Rodney Schlimmer on behalf of Ben Lomand Rural Telephone Cooperative, Inc.
- Testimony of Gregory L. Anderson on behalf of Bledsoe Telephone Cooperative
- Testimony of David Dickey on behalf of CenturyTel of Adamsville, Inc., CenturyTel of Claiborne, Inc., and CenturyTel of Ooletaway-Collegedale, Inc.
- Testimony of Leslie Greer on behalf of Dekalb Telephone Cooperative d/b/a DTC Communications
- Testimony of Roger Galloway on behalf of Highland Telephone Coop, Inc.
- Testimony of Desda K. Passarella Hutchins on behalf of Loretto Telephone Company, Inc.
- Testimony of W. S. Howard on behalf of Millington Telephone Company, Inc.
- Testimony of F. Thomas Rowland on behalf of North Central Telephone Cooperative, Inc.
- Testimony of Mike Hicks on behalf of TDS Telecom
- Testimony of Lera Roark on behalf of Crockett, Peoples and West Tennessee Telephone Companies
- Testimony of Robert D. Dudley on behalf of Twin Lakes Telephone Cooperative Corp.
- Testimony of Kerry Watson on behalf of Yorkville Telephone Cooperative
- Testimony of Steven E. Watkins on behalf of The Tennessee Coalition of Rural Incumbent Telephone Companies and Cooperatives.

Respectfully submitted,
The Tennessee Coalition of
Incumbent Rural Telephone
Companies and Cooperatives

By: 

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by way of the method indicated on June 4th, 2004, upon:

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**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF TERRY WALES ON BEHALF OF ARDMORE TELEPHONE
COMPANY, INC**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: Terry Wales, Ardmore Telephone Company, Inc., P.O. Box 549 Ardmore, Tennessee
4 38449.

5 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

6 A: Ardmore Telephone Company, Inc.

7 **Q: WHAT ARE YOUR CURRENT POSITION, DUTIES, AND**
8 **RESPONSIBILITIES AT ARDMORE TELEPHONE COMPANY, INC?**

9 A: I am responsible for planning, directing, organizing and implementation of the
10 business of the company.

11 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
12 **ACCESS LINES DOES YOUR COMPANY HAVE?**

13 A: Residential-2532, Business-465.

14 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

15 A: No.

16 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
17 **PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?**

18 A: No.

19 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
20 **PORTING FROM A WIRELESS CARRIER WITH A POINT OF**
21 **INTERCONNECTION IN ANY OF YOUR RATE CENTERS?**

22 A: No.

1 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
2 **PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING**
3 **RESOURCES IN YOUR RATE CENTERS?**

4 A: No.

5 **Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING**
6 **TO YOUR EXCHANGE(S)?**

7 A: Yes.

8 **Q: FOR WHAT EXCHANGE(S) IS YOUR COMPANY SEEKING A**
9 **SUSPENSION OF ITS INTERMODAL PORTING OBLIGATIONS?**

10 A: Ardmore, Minor Hill, McBurg.

11 **Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA**
12 **IN CONNECTION WITH YOUR PETITION?**

13 A: A suspension of our company's LNP obligations until the latter of (1) 11-24-04, the
14 date our switch and back office responsibilities will be LNP ready; (2) six months
15 after the date the appeal of the FCC LNP Order is completed, currently pending
16 before the United States Court of Appeals for the D.C. Circuit, Case No. 03-1443, or
17 (3) six months after the date the TRA resolves the policy issues related to the
18 transport or rating and routing issues raised in the Amended Petition.

19 **Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY**
20 **SOFTWARE TO ACTUALLY PORT A NUMBER?**

21 A: No.

22 **Q: WHEN DO YOU PLAN TO INSTALL THAT SOFTWARE?**

1 A: Unknown at the present time, but we should have a schedule in the next two (2)
2 weeks.

3 **Q: IN ADDITION TO THE SOFTWARE, WILL IT BE NECESSARY TO**
4 **INSTALL ANY HARDWARE IN YOUR SWITCH IN ORDER TO**
5 **ACTUALLY PORT A NUMBER?**

6 A: No.

7 **Q: WHAT ARE THE ESTIMATED LNP SOFTWARE AND HARDWARE**
8 **IMPLEMENTATION COSTS FOR EACH EXCHANGE?**

9 A: \$15,000.

10 **Q: WHAT IS THE ANTICIPATED DATE BY WHICH THE LNP TESTING**
11 **WILL BE COMPLETED FOR EACH EXCHANGE?**

12 A: Unknown at the present time, but we expect to have a schedule in the next two (2)
13 weeks.

14 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
15 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
16 **ORDER TO PORT A NUMBER?**

17 A: In our March 24th Amended Petition, we identified the necessary back office
18 functions that we needed to undertake. Since that time, the Company has
19 accomplished the following items: We have made arrangements with BellSouth to
20 provide our database services and we are in the process of executing a contract with
21 NeuStar to provide our service orders. Several aspects still remain. These include
22 training of our commercial and technical employees and testing each step of the
23 process to make sure everything works properly.

1 **Q: WHAT IS THE DATE BY WHICH THESE LNP "BACK OFFICE"**
2 **FUNCTIONS WILL BE COMPLETED FOR EACH EXCHANGE?**

3 A: If all goes as planned, we anticipate that we will have in place all of our necessary
4 back office functions by no later than August 1, 2004. I note that some of the items I
5 have listed are not really within our control to finalize and we will need to wait for
6 those parties to finalize the arrangements before we can proceed. The specific items
7 I am referring to are contract execution by NeuStar and database conversion dates
8 from BellSouth. I understand from our vendors BellSouth and NeuStar, that the
9 activity should be completed by August 1, 2004.

10 **Q: DO YOU AGREE WITH THE TESTIMONY OF MIKE HICKS OF TDS**
11 **TELECOM DESCRIBING THE BACK OFFICE DUTIES THAT ARE**
12 **REQUIRED TO IMPLEMENT LNP?**

13 A: Yes.

14 **Q: WHAT ARE THE ESTIMATED LNP "BACK OFFICE"**
15 **IMPLEMENTATION COSTS FOR YOUR COMPANY?**

16 A: So, far, we have expended approximately \$10,000.00 and we anticipate the need to
17 expend an additional \$90,000.00.

18 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
19 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
20 **INTERMODAL PORTING?**

21 A: Because we are only in the middle of the process required to arrange for all of the
22 necessary end office and back office functions, I am not sure we can provide an all-
23 inclusive number at this time. What I do know, however, is that to date we have

1 spend approximately \$10,000.00. Based on what I know now, we anticipate that
2 another \$90,000.00 will likely be required to be spent by our company in order to
3 complete this aspect of LNP.

4 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
5 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
6 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

7 A: None.

8 **Q: HAS YOUR COMPANY HAD ANY BONA FIDE PORTING REQUESTS**
9 **FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
10 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

11 A: No.

12 **Q: DOES YOUR COMPANY HAVE ANY AGREEMENTS IN PLACE WITH A**
13 **WIRELESS CARRIER THAT ADDRESS HOW END USER TRAFFIC IS TO**
14 **BE PHYSICALLY EXCHANGED BETWEEN THE TWO COMPANIES?**

15 A: No we do not. In fact, we believe the TRA is well aware of the status of connecting
16 arrangements between the smaller Independent Telephone Companies (like my
17 company) arising from the status of Docket Nos. 00-00523 and 03-00585 through
18 00589. As the TRA is aware, those proceedings address efforts to establish proper
19 terms and conditions for the exchange of end user traffic with a wireless carrier.
20 From my perspective, the fact that the proceeding is on-going demonstrates that the
21 terms and conditions do not exist. In any event, I will defer to Mr. Watkins to
22 explain in detail what that arbitration entails should questions arise that are necessary
23 to answer in this proceeding.

1 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
2 **CONNECTION TO A TANDEM OFFICE?**

3 **A:** While we have physical connections to a tandem office of BellSouth, I am not aware
4 of any authority that would allow my company alone to decide to place traffic
5 destined to a wireless carrier over those facilities. Moreover, our responsibility for
6 those facilities – both technically and economically – ends at our service area
7 boundary. Put another way, we do not have responsibility for the transport of any
8 traffic beyond our existing network and service area.

9 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
10 **TO SEND A CALL TO A WIRELESS PROVIDER?**

11 **A:** Yes. Anytime that a call is placed on facilities and carried to another point on my
12 network or that of another carrier there are transport costs involved. As I indicated
13 above, however, any transport obligations we may have for traffic ends at our
14 existing network/service boundary.

15 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
16 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

17 **A:** No. Our existing rates afford us recovery for the operation of our network alone.
18 Those operations, including the deployment of facilities in our network and the
19 maintenance of our network, are derived from a limited number of sources -- our
20 local rates and access charges. I also note that when I use the term local rates, that
21 also includes surcharges since my customers see these as listed on their local
22 telephone bill and they consider them part of the local service.

1 **Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING**
2 **FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE**
3 **COVERAGE IN YOUR SERVICE AREA?**

4 A: No. For example, in my experience both Verizon and Cingular has a number of
5 towers erected in our service area along Interstate 65. That is only a small portion of
6 our company's service area. In fact, I use Cingular's service and I am aware that
7 when I travel to Minor Hill and McBurg, within our company's area, I do not have a
8 strong signal or sometimes no signal and cannot make a cellular call at all. If I have
9 that experience, I imagine others will as well since the cellular phones I see are
10 roughly the same. That being the case, I can only hope that all wireless carriers will
11 have in place programs to identify all of the various dead spots or areas where there
12 is poor service so that customers that may want to have their number ported to a
13 wireless carrier (and none have requested that to date) will not be left holding the bag
14 when we disconnect their landline service and they potentially have no service or
15 poor quality wireless service.

16 **Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
17 **THE TRA TO CONSIDER?**

18 A: None.

19
20
21
22
23

1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF ARDMORE TELEPHONE**
3 **COMPANY, INC.**

4
5 *Jimmy M. Wala*

Date: 6-3-04

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF RODNEY SCHLIMMER ON BEHALF OF BEN LOMAND
RURAL TELEPHONE COOPERATIVE, INC.**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: Rodney Schlimmer, Ben Lomand Rural Telephone Cooperative, Inc. 311 N.
4 Chancery St. McMinnville, TN 37110 931-668-4131.

5 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

6 A: Ben Lomand Rural Telephone Cooperative, Inc.

7 **Q: WHAT ARE YOUR CURRENT POSITION, DUTIES, AND**
8 **RESPONSIBILITIES AT BEN LOMAND RURAL TELEPHONE**
9 **COOPERATIVE, INC.?**

10 A: Network Operations Manager. I am responsible for installation & maintenance of
11 all network equipment for the Cooperative.

12 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
13 **ACCESS LINES DOES YOUR COMPANY HAVE?**

14 A: 35,954.

15 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

16 A: No.

17 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
18 **PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?**

19 A: No.

20 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
21 **PORTING FROM A WIRELESS CARRIER WITH A POINT OF**
22 **INTERCONNECTION IN ANY OF YOUR RATE CENTERS?**

1 A: No.

2 Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER
3 PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING
4 RESOURCES IN YOUR RATE CENTERS?

5 A: No.

6 Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING
7 TO YOUR EXCHANGE(S)?

8 A: Yes.

9 Q: FOR WHAT EXCHANGE(S) IS YOUR COMPANY SEEKING A
10 SUSPENSION OF ITS INTERMODAL PORTING OBLIGATIONS?

11 A: 394,467,592,596,779,924,934,939,657,738,739,761,935,946,635,668,815,686,692.

12 Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA
13 IN CONNECTION WITH YOUR PETITION?

14 A: A suspension of our company's LNP obligations until the latter of (1) when the back
15 office responsibilities will be LNP ready; (2) six months after the date the appeal of
16 the FCC LNP Order is completed, currently pending before the United States Court
17 of Appeals for the D.C. Circuit, Case No 03-1443, or (3) six months after the date
18 the TRA resolves the policy issues related to the transport or rating and routing
19 issues raised in the Amended Petition.

20 Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY
21 SOFTWARE AND HARDWARE TO ACTUALLY PORT A NUMBER?

22 A: Yes.

1 **Q: IN ADDITION TO THE SOFTWARE, WILL IT BE NECESSARY TO**
2 **INSTALL ANY HARDWARE IN YOUR SWITCH IN ORDER TO**
3 **ACTUALLY PORT A NUMBER?**

4 A: No.

5 **Q: WHAT ARE THE ESTIMATED LNP SOFTWARE AND HARDWARE**
6 **IMPLEMENTATION COSTS FOR EACH EXCHANGE?**

7 A: We have one switch with remotes. The software for the switch was \$122,500. We
8 understand we will have to purchase additional software for thousand block pooling.
9 A quote from Nortel to implement this feature is \$27,500, not including labor, which
10 I estimate to be \$10,000.

11 **Q: WHAT IS THE ANTICIPATED DATE BY WHICH THE LNP TESTING**
12 **WILL BE COMPLETED FOR EACH EXCHANGE?**

13 A: This depends on the wireless carriers. We have had no requests for testing.

14 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
15 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
16 **ORDER TO PORT A NUMBER?**

17 A: In our March 24th Amended Petition, we identified the necessary back office
18 functions that we needed to undertake. Since that time, the Company has
19 accomplished the following items: we have completed "trading partner agreements"
20 with 3 wireless carriers. Several aspects still remain. These include the actual testing
21 with each wireless carrier to verify that all calls will complete properly and all
22 features will work properly and establish and test trunk groups for each participating
23 wireless carrier (if and when any agreements can be reached.)

1 **Q: WHAT IS THE DATE BY WHICH THESE LNP "BACK OFFICE"**
2 **FUNCTIONS WILL BE COMPLETED FOR EACH EXCHANGE?**

3 A: If all goes as planned, we anticipate that we will have in place all of our necessary
4 back office functions by no later than the end of the third quarter, 2004. I note that
5 some of the items I have listed are not really within our control to finalize and we
6 will need to wait for those parties to finalize the arrangements before we can
7 proceed.

8 **Q: DO YOU AGREE WITH THE TESTIMONY OF MIKE HICKS OF TDS**
9 **TELECOM DESCRIBING THE BACK OFFICE DUTIES THAT ARE**
10 **REQUIRED TO IMPLEMENT LNP?**

11 A: Yes.

12 **Q: WHAT ARE THE ESTIMATED LNP "BACK OFFICE"**
13 **IMPLEMENTATION COSTS FOR YOUR COMPANY?**

14 A: So far, we have expended approximately \$25,000 and we anticipate the need to
15 expend an additional \$25,000. These costs are for the wireless porting functionality
16 only. It does not include what was spent for the initial software and hardware
17 upgrades to provide wireline porting that was accomplished several years back.

18 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
19 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
20 **INTERMODAL PORTING?**

21 A: Because we are only in the middle of the process required to arrange for all of the
22 necessary end office and back office functions, I am not sure we can provide an all-
23 inclusive number at this time What I do know, however, is that to date we have

1 spend approximately \$50,000 for the wireless porting. Based on what I know now,
2 we anticipate that another \$50,000 will likely be required to be spent by our
3 company in order to complete this aspect of LNP.

4 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
5 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
6 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

7 A: Two.

8 **Q: HAS YOUR COMPANY HAD ANY BONA FIDE PORTING REQUESTS**
9 **FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
10 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

11 A: No.

12 **Q: DOES YOUR COMPANY HAVE ANY AGREEMENTS IN PLACE WITH A**
13 **WIRELESS CARRIER THAT ADDRESS HOW END USER TRAFFIC IS TO**
14 **BE PHYSICALLY EXCHANGED BETWEEN THE TWO COMPANIES?**

15 A: No we do not. In fact, we believe the TRA is well aware of the status of connecting
16 arrangements between the smaller Independent Telephone Companies (like my
17 company) arising from the status of Docket Nos. 00-00523 and 03-00585 through
18 00589. As the TRA is aware, those proceedings address efforts to establish proper
19 terms and conditions for the exchange of end user traffic with a wireless carrier.
20 From my perspective, the fact that the proceeding is on going demonstrates that the
21 terms and conditions do not exist. In any event, I will defer to Mr. Watkins to
22 explain in detail what that arbitration entails should questions arise that are necessary
23 to answer in this proceeding.

1 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
2 **CONNECTION TO A TANDEM OFFICE?**

3 A: While we have physical connections to a tandem office of BellSouth, I am not aware
4 of any authority that would allow my company alone to decide to place traffic
5 destined to a wireless carrier over those facilities. Moreover, our responsibility for
6 those facilities – both technically and economically – ends at our service area
7 boundary. Put another way, we do not have responsibility for the transport of any
8 traffic beyond our existing network and service area.

9 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
10 **TO SEND A CALL TO A WIRELESS PROVIDER?**

11 A: Yes. Anytime that a call is placed on facilities and carried to another point on my
12 network or that of another carrier there are transport costs involved. As I indicated
13 above, however, any transport obligations we may have for traffic ends at our
14 existing network/service boundary.

15 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
16 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

17 A: No. Our existing rates afford us recovery for the operation of our network alone.
18 Those operations, including the deployment of facilities in our network and the
19 maintenance of our network, are derived from a limited number of sources -- our
20 local rates and access charges. I also note that when I use the term local rates, that
21 also includes surcharges since my customers see these as listed on their local
22 telephone bill and they consider them part of the local service.

1 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT WOULD TRANSPORT**
2 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
3 **WIRELESS PROVIDER?**

4 A: No, and that is the major point. As Mr. Watkins notes (and I agree with him), the
5 FCC's directives regarding our responsibility in a wireless number porting
6 environment simply are difficult to reconcile with our existing operations. Our
7 existing carrier arrangements, our rates, our network, and our responsibility for that
8 network do not contemplate porting until the transport issues are resolved
9 Moreover, we do not believe that either our company or end users should be exposed
10 to the costs associated with transporting traffic beyond our network until the
11 questions noted by Mr. Watkins are answered. It is my understanding that the TRA
12 will be addressing this issue in the separate, on-going arbitration proceeding.
13 Alternatively, as explained by Mr. Watkins, the FCC may weigh in on the issue.
14 Certainly, the TRA could decide this issue in this docket.

15 **Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING**
16 **FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE**
17 **COVERAGE IN YOUR SERVICE AREA?**

18 A: No, not in my opinion. Cingular is the only wireless carrier to submit a request. At
19 this time, there are several areas of our serving area where calls are routinely
20 dropped. This is particularly bothersome because we were partners with them from
21 the beginning until September 1997. They agreed from the beginning to "cover our
22 area". It still has not been done. It raises a strong question within our minds that if a

1 partner will not cover the area, why or will other wireless carriers provide complete
2 coverage.

3 **Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
4 **THE TRA TO CONSIDER?**

5 A: One of our customers has told us he went to Verizon to port his wireline number and
6 they told him it would be 6 to 8 months before they could do it.

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1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF Ben Lomand Rural Telephone**
3 **Cooperative, Inc.**

4

5



Date: June 3, 2004

6

1 **Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY**
2 **SOFTWARE TO ACTUALLY PORT A NUMBER?**

3 A: *No.*

4 **Q: WHEN DO YOU PLAN TO INSTALL THAT SOFTWARE?**

5 A: *As soon as the switch vendor can schedule installation.*

6 **Q: IN ADDITION TO THE SOFTWARE, WILL IT BE NECESSARY TO**
7 **INSTALL ANY HARDWARE IN YOUR SWITCH IN ORDER TO**
8 **ACTUALLY PORT A NUMBER?**

9 A: *No.*

10 **Q: WHEN DO YOU PLAN TO INSTALL THAT HARDWARE?**

11 A: *N/A*

12 **Q: WHAT ARE THE ESTIMATED LNP SOFTWARE AND HARDWARE**
13 **IMPLEMENTATION COSTS FOR EACH EXCHANGE?**

14 A: *\$78,200*

15 **Q: WHAT IS THE ANTICIPATED DATE BY WHICH THE LNP TESTING**
16 **WILL BE COMPLETED FOR EACH EXCHANGE?**

17 A: *We currently plan our internal testing of the software and hardware modifications of*
18 *LNP capability by July 23, 2004. Thereafter, we will be able to coordinate testing*
19 *with any requesting wireless carrier at a mutually convenient time in order to help*
20 *ensure that the goal of any LNP – the completion of end user traffic – can occur.*

21 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
22 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
23 **ORDER TO PORT A NUMBER?**

1 A. *In our March 24th Amended Petition, we identified the necessary back office*
2 *functions that we needed to undertake. Since that time, the Company has*
3 *accomplished the following items: Bledsoe Telephone Cooperative has contracted*
4 *with John Staurulakis, Inc. to perform the service order administration functions,*
5 *establish relationships with Neustar, prepare LNP implementation guide, and to*
6 *conduct employee training.*

7 **Q: WHAT IS THE DATE BY WHICH THESE LNP "BACK OFFICE"**
8 **FUNCTIONS WILL BE COMPLETED FOR EACH EXCHANGE?**

9 A: *If all goes as planned, we anticipate that we will have in place all of our necessary*
10 *back office functions by no later than July 23, 2004. I note that some of the items I*
11 *have listed are not really within our control to finalize and we will need to wait for*
12 *those parties to finalize the arrangements before we can proceed*

13 **Q: DO YOU AGREE WITH THE TESTIMONY OF MIKE HICKS OF TDS**
14 **TELECOM DESCRIBING THE BACK OFFICE DUTIES THAT ARE**
15 **REQUIRED TO IMPLEMENT LNP?**

16 A: *Yes.*

17 **Q: WHAT ARE THE ESTIMATED LNP "BACK OFFICE"**
18 **IMPLEMENTATION COSTS FOR YOUR COMPANY?**

19 A: *The full cost has not been determined.*

20 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
21 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
22 **INTERMODAL PORTING?**

1 A: *Because we are only in the middle of the process required to arrange for all of the*
2 *necessary end office and back office functions, we cannot provide an all-inclusive*
3 *number at this time.*

4 Q: **HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
5 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
6 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

7 A: 2

8 Q: **HAS ANY WIRELESS CARRIER PROVIDED YOU ANY SIMILAR**
9 **REQUEST(S)?**

10 A: *No.*

11 Q: **HAS YOUR COMPANY HAD TO RESPOND TO ANY REQUESTS FOR**
12 **LNP FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
13 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

14 A: *No.*

15 Q: **DOES YOUR COMPANY CURRENTLY HAVE ANY AGREEMENTS IN**
16 **PLACE WITH A WIRELESS CARRIER THAT ADDRESS HOW END USER**
17 **TRAFFIC IS TO BE PHYSICALLY EXCHANGED BETWEEN THE TWO**
18 **COMPANIES?**

19 A: *No we do not. In fact, we believe the TRA is well aware of the status of connecting*
20 *arrangements between the smaller Independent Telephone Companies like Bledsoe*
21 *Telephone Cooperative arising from the status of Docket Nos. 00-00523 and 03-*
22 *00585 through 00589. As the TRA is aware, those proceedings address efforts to*
23 *establish proper terms and conditions for the exchange of end user traffic with a*

1 *wireless carrier. From my perspective, the fact that the proceeding is on-going*
2 *demonstrates that the terms and conditions do not exist. In any event, I will defer to*
3 *Mr. Watkins to explain in detail what that arbitration entails should questions arise*
4 *that are necessary to answer in this proceeding.*

5 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
6 **CONNECTION TO A TANDEM OFFICE?**

7 **A:** *While we have physical connections to a tandem office of BellSouth, I am not aware*
8 *of any authority that would allow my company alone to decide to place traffic*
9 *destined to a wireless carrier over those facilities. Moreover, our responsibility for*
10 *those facilities – both technically and economically – ends at our service area*
11 *boundary. Put another way, we do not have responsibility for the transport of any*
12 *traffic beyond our existing network and service area.*

13 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
14 **TO SEND A CALL TO A WIRELESS PROVIDER?**

15 **A:** *Yes. Anytime that a call is placed on facilities and carried to another point on my*
16 *network or that of another carrier there are transport costs involved. As I indicated*
17 *above, however, any transport obligations we may have for traffic ends at our*
18 *existing network/service boundary.*

19 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
20 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

21 **A:** *No. Our existing rates afford us recovery for the operation of our network alone.*
22 *Those operations, including the deployment of facilities in our network and the*

1 *maintenance of our network, are derived from a limited number of sources -- our*
2 *local rates and access charges.*

3 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT WOULD TRANSPORT**
4 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
5 **WIRELESS PROVIDER?**

6 A: *No, and that is the major point. As Mr. Watkins notes (and I agree with him), the*
7 *FCC's directives regarding our responsibility in a wireless number porting*
8 *environment simply are difficult to reconcile with our existing operations. Our*
9 *existing carrier arrangements, our rates, our network, and our responsibility for that*
10 *network do not contemplate porting until the transport issues are resolved.*
11 *Moreover, we do not believe that either our company or end users should be exposed*
12 *to the costs associated with transporting traffic beyond our network until the*
13 *questions noted by Mr. Watkins are answered. It is my understanding that the TRA*
14 *will be addressing this issue in the separate, on-going arbitration proceeding.*
15 *Alternatively, as explained by Mr. Watkins, the FCC may weigh in on the issue.*
16 *Certainly, the TRA could decide this issue in this docket.*

17 **Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING**
18 **FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE**
19 **COVERAGE IN YOUR SERVICE AREA?**

20 A: *No, not in my opinion. Verizon seems to have adequate coverage, AT&T does not.*

21 **Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
22 **THE TRA TO CONSIDER?**

23 A: *No.*

1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF BLEDSOE TELEPHONE**
3 **COOPERATIVE.**

4

5 Gregory S. Anderson Date: June 3, 2004

1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF BLEDSOE TELEPHONE**
3 **COOPERATIVE.**

4

5 Gregory S. Anderson Date: June 3, 2004

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF DAVID DICKEY ON BEHALF OF CENTURYTEL OF
ADAMSVILLE, INC., CENTURYTEL OF CLAIBORNE, INC., AND CENTURYTEL
OF OOLETEWAH-COLLEGE DALE, INC.**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: My name is David Dickey. I am employed by CenturyTel Service Group. My
4 business address is PO BOX 405, ADAMSVILLE, TN, 38310. My phone number is
5 731-632-3311.

6 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

7 A: I am testifying on behalf of CenturyTel of Adamsville, Inc., CenturyTel of
8 Claiborne, Inc., and CenturyTel of Ooletewah-Collegedale, Inc. herein after referred
9 to as CenturyTel.

10 **Q: WHAT ARE YOUR CURRENT POSITION AT CENTURYTEL?**

11 A: I am employed as the Manager of Area Operations for Tennessee.

12 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
13 **ACCESS LINES DOES YOUR COMPANY HAVE?**

14 A: 26,999

15 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

16 A: Yes.

17 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
18 **PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?**

19 A: No.

20 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
21 **PORTING FROM A WIRELESS CARRIER WITH A POINT OF**
22 **INTERCONNECTION IN ANY OF YOUR RATE CENTERS?**

23 A: No.

1 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
2 **PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING**
3 **RESOURCES IN YOUR RATE CENTERS?**

4 A: No.

5 **Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING**
6 **TO YOUR EXCHANGE(S)?**

7 A: Yes.

8 **Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA**
9 **IN CONNECTION WITH YOUR PETITION?**

10 A: A suspension of our company's LNP obligations until the latter of (1) six months
11 after the date the appeal of the FCC LNP Order is completed, currently pending
12 before the United States Court of Appeals for the D.C. Circuit, Case No. 03-1443, or
13 (2) six months after the date the TRA resolves the policy issues related to the
14 transport or rating and routing issues raised in the Amended Petition.

15 **Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY**
16 **SOFTWARE AND HARDWARE TO ACTUALLY PORT A NUMBER?**

17 A: Yes.

18 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
19 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
20 **INTERMODAL PORTING?**

21 A: Our estimated cost per end user is \$10.53 for year one.

1 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
2 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
3 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

4 A: None

5 **Q: HAS YOUR COMPANY HAD TO RESPOND TO ANY REQUESTS FOR**
6 **LNP FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
7 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

8 A: Yes.

9 **Q: DOES YOUR COMPANY CURRENTLY HAVE ANY AGREEMENTS IN**
10 **PLACE WITH A WIRELESS CARRIER THAT ADDRESS HOW END USER**
11 **TRAFFIC IS TO BE PHYSICALLY EXCHANGED BETWEEN THE TWO**
12 **COMPANIES?**

13 A: No we do not. In fact, we believe the TRA is well aware of the status of connecting
14 arrangements between the smaller Independent Telephone Companies (like my
15 company) arising from the status of Docket Nos. 00-00523 and 03-00585 through
16 00589. As the TRA is aware, those proceedings address efforts to establish proper
17 terms and conditions for the exchange of end user traffic with a wireless carrier.
18 From my perspective, the fact that the proceeding is on-going demonstrates that the
19 terms and conditions do not exist. In any event, I will defer to Mr. Watkins to
20 explain in detail what that arbitration entails should questions arise that are necessary
21 to answer in this proceeding.

22 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
23 **CONNECTION TO A TANDEM OFFICE?**

1 A: While we have physical connections to a tandem office of BellSouth, I am not aware
2 of any authority that would allow me alone to decide to place traffic destined to a
3 wireless carrier over those facilities. Moreover, our responsibility for those facilities
4 – both technically and economically – ends at our service area boundary. Put another
5 way, we do not have responsibility for the transport of any traffic beyond our
6 existing network and service area.

7 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
8 **TO SEND A CALL TO A WIRELESS PROVIDER?**

9 A: Yes. Anytime that a call is placed on facilities and carried to another point on my
10 network or that of another carrier, there are transport costs involved. As I indicated
11 above, however, any transport obligations we may have for traffic ends at our
12 existing network/service boundary.

13 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
14 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

15 A: No. Our existing rates afford us recovery for the operation of our network alone.
16 Those operations, including the deployment of facilities in our network and the
17 maintenance of our network, are derived from a limited number of sources -- our
18 local rates and access charges. I also note that when I use the term local rates, that
19 also includes surcharges since my customers see these as listed on their local
20 telephone bill and they consider them part of the local service.

21 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT IS TO TRANSPORT**
22 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
23 **WIRELESS PROVIDER?**

1 A: No, and that is the major point. As Mr. Watkins notes (and I agree with him), the
2 FCC's directives regarding our responsibility in a wireless number porting
3 environment simply are difficult to reconcile with our existing operations. Our
4 existing carrier arrangements, our rates, our network, and our responsibility for that
5 network do not contemplate the type of arrangements that apparently others believe
6 we have. Moreover, we do not believe that either our company or end users should
7 be exposed to the costs associated with transporting traffic beyond our network until
8 the questions noted by Mr. Watkins are answered. It is my understanding that the
9 TRA will be addressing aspects of that issue in the separate, on-going arbitration
10 proceeding. Alternatively, as explained by Mr. Watkins, the FCC may weigh in on
11 the issue.

12 **Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING**
13 **FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE**
14 **COVERAGE IN YOUR SERVICE AREA?**

15 A: No, not in my opinion. For example, in my experience, Cingular has a number of
16 towers erected in our service area in Adamsville. That is only a small portion of our
17 company's service area. In fact, I use Cingular's service and I am aware that when I
18 travel to Shiloh or Milledgeville within our company's area, I do not have a strong
19 signal or no signal and cannot make a cellular call at all. If I have that experience, I
20 imagine others will as well since the cellular phones I see are roughly the same. That
21 being the case, I can only hope that all wireless carriers will have in place programs
22 to identify all of the various dead spots or areas where there is poor service so that
23 customers that may want to have their number ported to a wireless carrier (and none

1 have requested that to date) will not be left holding the bag when we disconnect their
2 landline service and they potentially have no service or poor quality wireless service.

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1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF CENTURYTEL.**

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_____ Date: _____

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**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF LESLIE GREER ON BEHALF OF DEKALB TELEPHONE
COOPERATIVE D/B/A DTC COMMUNICATIONS**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: Leslie Greer DTC Communications 111 High Street, Alexandria, TN 37012 (615)
4 529-2151

5 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

6 A: DTC Communications

7 **Q: WHAT ARE YOUR CURRENT POSITION, DUTIES, AND**
8 **RESPONSIBILITIES AT DTC COMMUNICATIONS?**

9 A: I am the Chief Executive Officer and I am in charge of the overall operations of the
10 cooperative.

11 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
12 **ACCESS LINES DOES YOUR COMPANY HAVE?**

13 A: Bus: 3,736 Res: 17,059

14 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

15 A: Yes.

16 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
17 **PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?**

18 A: No.

19 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
20 **PORTING FROM A WIRELESS CARRIER WITH A POINT OF**
21 **INTERCONNECTION IN ANY OF YOUR RATE CENTERS?**

22 A: No.

1 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
2 **PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING**
3 **RESOURCES IN YOUR RATE CENTERS?**

4 A: No.

5 **Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING**
6 **TO YOUR EXCHANGE(S)?**

7 A: Yes.

8 **Q: FOR WHAT EXCHANGE(S) IS YOUR COMPANY SEEKING A**
9 **SUSPENSION OF ITS INTERMODAL PORTING OBLIGATIONS?**

10 A: Smithville (615-597), NXX's subtending same office. 615-215, 615-273, 615-286,
11 615-408, 615-409, 615-464, 615-529, 615-536, 615-548, 615-563, 615-683, 615-765

12 **Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA**
13 **IN CONNECTION WITH YOUR PETITION?**

14 A: A suspension of our company's LNP obligations until the latter of (1) 10-31-2004,
15 the date our switch and back office responsibilities will be LNP ready; (2) six
16 months after the date the appeal of the FCC LNP Order is completed, currently
17 pending before the United States Court of Appeals for the D.C. Circuit, Case No. 03-
18 1443, or (3) six months after the date the TRA resolves the policy issues related to
19 the transport or rating and routing issues raised in the Amended Petition.

20 **Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY**
21 **SOFTWARE TO ACTUALLY PORT A NUMBER?**

22 A: Yes, it has been purchased, and it is being currently installed and tested with the
23 anticipated "turn up" date of 10-01-04.

1 **Q: IN ADDITION TO THE SOFTWARE, WILL IT BE NECESSARY TO**
2 **INSTALL ANY HARDWARE IN YOUR SWITCH IN ORDER TO**
3 **ACTUALLY PORT A NUMBER?**

4 A: We are installing an entirely new soft switch to handle LNP.

5 **Q: WHEN DO YOU PLAN TO INSTALL THAT HARDWARE?**

6 A: Currently installed and being tested.

7 **Q: WHAT ARE THE ESTIMATED LNP SOFTWARE AND HARDWARE**
8 **IMPLEMENTATION COSTS FOR EACH EXCHANGE?**

9 A: \$266,350. If the CABS system has to be upgraded, another \$50,000 to purchase a
10 new software if possible.

11 **Q: WHAT IS THE ANTICIPATED DATE BY WHICH THE LNP TESTING**
12 **WILL BE COMPLETED FOR EACH EXCHANGE?**

13 A: We currently plan our internal testing of the software and hardware modifications of
14 LNP capability by 10-01-04. Thereafter, we will be able to coordinate testing with
15 any requesting wireless carrier at a mutually convenient time in order to help ensure
16 that the goal of any LNP – the completion of end user traffic – can occur.

17 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
18 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
19 **ORDER TO PORT A NUMBER?**

20 A: In our March 24th Amended Petition, we identified the necessary back office
21 functions that we needed to undertake. Since that time, the Company has
22 accomplished the following items: We have signed a contract with Neustar as well
23 as a contract with Syniverse to handle the interface to the impact center. We have

1 also been having training secession with our customer service representatives
2 preparing them for the implementation of LNP.

3 **Q: WHAT IS THE DATE BY WHICH THESE LNP "BACK OFFICE"**
4 **FUNCTIONS WILL BE COMPLETED FOR EACH EXCHANGE?**

5 A: If all goes as planned, we anticipate that we will have in place all of our necessary
6 back office functions by no later than 10-01-04.

7 **Q: DO YOU AGREE WITH THE TESTIMONY OF MIKE HICKS OF TDS**
8 **TELECOM DESCRIBING THE BACK OFFICE DUTIES THAT ARE**
9 **REQUIRED TO IMPLEMENT LNP?**

10 A: Yes.

11 **Q: WHAT ARE THE ESTIMATED LNP "BACK OFFICE"**
12 **IMPLEMENTATION COSTS FOR YOUR COMPANY?**

13 A: We anticipate \$25,000 for testing, training and set-up for DTC personnel. We
14 anticipate cost between \$10,000 and \$15,000 dollars to purchase the LNP module
15 from our current software vender. We estimate that our charges through Neustar to
16 be approximately \$1,250 per month. A non-recurring transaction fee of \$1.44 for
17 each ported number is in addition to the monthly cost. If request are substantial for
18 LNP, we would possibly have to hire an additional CSR at a fully loaded labor rate
19 of \$56,520 per year. Also, as noted in one of the questions above, we could possibly
20 have to purchase a CABS package if that billing is significantly affected. This cost of
21 purchasing and installing a new CABS package would be approximately \$50,000

1 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
2 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
3 **INTERMODAL PORTING?**

4 A: Our estimated cost per end user is \$12.80. I estimate that at this time we have spent
5 sixty percent of our estimated cost or approximately \$159,810.00. Based on what I
6 know now, we anticipate that another \$106,540.00 will likely be required to be spent
7 by our company in order to complete this aspect of LNP.

8 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
9 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
10 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

11 A: None.

12 **Q: HAS YOUR COMPANY HAD TO RESPOND TO ANY REQUESTS FOR**
13 **LNP FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
14 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

15 A: No.

16 **Q: DOES YOUR COMPANY CURRENTLY HAVE ANY AGREEMENTS IN**
17 **PLACE WITH A WIRELESS CARRIER THAT ADDRESS HOW END USER**
18 **TRAFFIC IS TO BE PHYSICALLY EXCHANGED BETWEEN THE TWO**
19 **COMPANIES?**

20 A No we do not In fact, we believe the TRA is well aware of the status of connecting
21 arrangements between the smaller Independent Telephone Companies (like my
22 company) arising from the status of Docket Nos. 00-00523 and 03-00585 through
23 00589. As the TRA is aware, those proceedings address efforts to establish proper

1 terms and conditions for the exchange of end user traffic with a wireless carrier.
2 From my perspective, the fact that the proceeding is on-going demonstrates that the
3 terms and conditions do not exist. In any event, I will defer to Mr. Watkins to
4 explain in detail what that arbitration entails should questions arise that are necessary
5 to answer in this proceeding.

6 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
7 **CONNECTION TO A TANDEM OFFICE?**

8 A: While we have physical connections to the tandem office's of BellSouth & IRIS, I
9 am not aware of any authority that would allow my company alone to decide to place
10 traffic destined to a wireless carrier over those facilities. Moreover, our
11 responsibility for those facilities – both technically and economically – ends at our
12 service area boundary. Put another way, we do not have responsibility for the
13 transport of any traffic beyond our existing network and service area.

14 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
15 **TO SEND A CALL TO A WIRELESS PROVIDER?**

16 A: Yes. Anytime that a call is placed on facilities and carried to another point on my
17 network or that of another carrier there are transport costs involved. As I indicated
18 above, however, any transport obligations we may have for traffic ends at our
19 existing network/service boundary.

20 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
21 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

22 A: No. Our existing rates afford us recovery for the operation of our network alone.
23 Those operations, including the deployment of facilities in our network and the

1 maintenance of our network, are derived from a limited number of sources -- our
2 local rates and access charges. I also note that when I use the term local rates, that
3 also includes surcharges since my customers see these as listed on their local
4 telephone bill and they consider them part of the local service.

5 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT WOULD TRANSPORT**
6 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
7 **WIRELESS PROVIDER?**

8 A: No, and that is the major point. As Mr. Watkins notes (and I agree with him), the
9 FCC's directives regarding our responsibility in a wireless number porting
10 environment simply are difficult to reconcile with our existing operations. Our
11 existing carrier arrangements, our rates, our network, and our responsibility for that
12 network do not contemplate porting until the transport issues are resolved.
13 Moreover, we do not believe that either our company or end users should be exposed
14 to the costs associated with transporting traffic beyond our network until the
15 questions noted by Mr. Watkins are answered. It is my understanding that the TRA
16 will be addressing this issue in the separate, on-going arbitration proceeding.
17 Alternatively, as explained by Mr. Watkins, the FCC may weigh in on the issue.
18 Certainly, the TRA could decide this issue in this docket.

19 **Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING**
20 **FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE**
21 **COVERAGE IN YOUR SERVICE AREA?**

1 A: We are not in the position to determine if other companies have adequate service or
2 not. However, due to the hilly terrain of our rural service area, we suspect that some
3 areas would lack adequate wireless signals.

4 **Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
5 **THE TRA TO CONSIDER?**

6 A: No.

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1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF _Dekalb Telephone Cooperative,**
3 **Inc. d/b/a DTC Communications_____.**

4
5 Leslie Green

Date: June 3, 2004

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF ROGER GALLOWAY ON BEHALF OF HIGHLAND
TELEPHONE COOP, INC.**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: Roger Galloway, Highland Telephone Coop Inc. P O Box 119 Sunbright TN 37872
4 423-628-2121.

5 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

6 A: Highland Telephone Coop Inc.

7 **Q: WHAT ARE YOUR CURRENT POSITION, DUTIES, AND**
8 **RESPONSIBILITIES AT HIGHLAND TELEPHONE COOP, INC.?**

9 A: I am Plant Manager and am responsible for all Outside Plant and Switches.

10 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
11 **ACCESS LINES DOES YOUR COMPANY HAVE?**

12 A: Residence-21,150 Business- 5,000

13 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

14 A: No.

15 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
16 **PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?**

17 A: No.

18 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
19 **PORTING FROM A WIRELESS CARRIER WITH A POINT OF**
20 **INTERCONNECTION IN ANY OF YOUR RATE CENTERS?**

21 A: No

1 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
2 **PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING**
3 **RESOURCES IN YOUR RATE CENTERS?**

4 A: No.

5 **Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING**
6 **TO YOUR EXCHANGE(S)?**

7 A: Yes.

8 **Q: FOR WHAT EXCHANGE(S) IS YOUR COMPANY SEEKING A**
9 **SUSPENSION OF ITS INTERMODAL PORTING OBLIGATIONS?**

10 A: 423-324 423-346 423-369 423-628 423-965 423-627
11 423-663 423-569 423-286 423-319

12 **Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA**
13 **IN CONNECTION WITH YOUR PETITION?**

14 A: A suspension of our company's LNP obligations until the latter of (1) August 24,
15 2004, the date our switch and back office responsibilities will be LNP ready ; (2) six
16 months after the date the appeal of the FCC LNP Order is completed, currently
17 pending before the United States Court of Appeals for the D.C. Circuit, Case No. 03-
18 1443, or (3) six months after the date the TRA resolves the policy issues related to
19 the transport or rating and routing issues raised in the Amended Petition.

20 **Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY**
21 **SOFTWARE AND HARDWARE TO ACTUALLY PORT A NUMBER?**

22 A: Yes.

1 **Q: WHAT IS THE ANTICIPATED DATE BY WHICH THE LNP TESTING**
2 **WILL BE COMPLETED FOR EACH EXCHANGE?**

3 A: We currently plan our internal testing of the software and hardware modifications of
4 LNP capability by June 15, 2004. Thereafter, we will be able to coordinate testing
5 with any requesting wireless carrier at a mutually convenient time in order to help
6 ensure that the goal of any LNP – the completion of end user traffic – can occur.

7 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
8 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
9 **ORDER TO PORT A NUMBER?**

10 A: In our March 24th Amended Petition, we identified the necessary back office
11 functions that we needed to undertake. Since that time, the Company has
12 accomplished the following items: Training of Personnel, Setting up Billing and
13 Order Processes. Several aspects still remain. These include negotiations with
14 Neustar and Bellsouth about database updates and queries.

15 **Q: WHAT IS THE DATE BY WHICH THESE LNP "BACK OFFICE"**
16 **FUNCTIONS WILL BE COMPLETED FOR EACH EXCHANGE?**

17 A: If all goes as planned, we anticipate that we will have in place all of our necessary
18 back office functions by no later than August 24, 2004.

19 **Q: DO YOU AGREE WITH THE TESTIMONY OF MIKE HICKS OF TDS**
20 **TELECOM DESCRIBING THE BACK OFFICE DUTIES THAT ARE**
21 **REQUIRED TO IMPLEMENT LNP?**

22 A: Yes.

1 **Q: WHAT ARE THE ESTIMATED LNP IMPLEMENTATION COSTS FOR**
2 **YOUR COMPANY?**

3 A: So far, we have expended approximately \$181,250.00 and we anticipate the need to
4 expend an additional \$25,000.00.

5 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
6 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
7 **INTERMODAL PORTING?**

8 A: Because we are only in the middle of the process required to arrange for all of the
9 necessary end office and back office functions, we cannot provide an all-inclusive
10 number at this time. What I do know, however, is that to date we have spent
11 approximately \$181,250.00. Based on what I know now, we anticipate that another
12 \$25,000.00 will likely be required to be spent by our company in order to complete
13 LNP.

14 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
15 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
16 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

17 A: None at this time.

18 **Q: HAS YOUR COMPANY HAD TO RESPOND TO ANY REQUESTS FOR**
19 **LNP FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
20 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

21 A: No.

22 **Q: DOES YOUR COMPANY CURRENTLY HAVE ANY AGREEMENTS IN**
23 **PLACE WITH A WIRELESS CARRIER THAT ADDRESS HOW END USER**

TRAFFIC IS TO BE PHYSICALLY EXCHANGED BETWEEN THE TWO COMPANIES?

A: No we do not. In fact, we believe the TRA is well aware of the status of connecting arrangements between the smaller Independent Telephone Companies (like Highland Telephone) arising from the status of Docket Nos. 00-00523 and 03-00585 through 00589. As the TRA is aware, those proceedings address efforts to establish proper terms and conditions for the exchange of end user traffic with a wireless carrier. From my perspective, the fact that the proceeding is on-going demonstrates that the terms and conditions do not exist. In any event, I will defer to Mr. Watkins to explain in detail what that arbitration entails should questions arise that are necessary to answer in this proceeding.

Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL CONNECTION TO A TANDEM OFFICE?

A: While we have physical connections to a tandem office of Bell South, I am not aware of any authority that would allow my company alone to decide to place traffic destined to a wireless carrier over those facilities. Moreover, our responsibility for those facilities – both technically and economically – ends at our service area boundary. Put another way, we do not have responsibility for the transport of any traffic beyond our existing network and service area.

Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED TO SEND A CALL TO A WIRELESS PROVIDER?

A: Yes. Anytime that a call is placed on facilities and carried to another point on my network or that of another carrier there are transport costs involved. As I indicated

1 above, however, any transport obligations we may have for traffic ends at our
2 existing network/service boundary.

3 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
4 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

5 A: No. Our existing rates afford us recovery for the operation of our network alone.
6 Those operations, including the deployment of facilities in our network and the
7 maintenance of our network, are derived from a limited number of sources -- our
8 local rates and access charges. I also note that when I use the term local rates, that
9 also includes surcharges since my customers see these as listed on their local
10 telephone bill and they consider them part of the local service.

11 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT WOULD TRANSPORT**
12 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
13 **WIRELESS PROVIDER?**

14 A: No, and that is the major point. As Mr. Watkins notes (and I agree with him), the
15 FCC's directives regarding our responsibility in a wireless number porting
16 environment simply are difficult to reconcile with our existing operations. Our
17 existing carrier arrangements, our rates, our network, and our responsibility for that
18 network do not contemplate porting until the transport issues are resolved.
19 Moreover, we do not believe that either our company or end users should be exposed
20 to the costs associated with transporting traffic beyond our network until the
21 questions noted by Mr. Watkins are answered. It is my understanding that the TRA
22 will be addressing this issue in the separate, on-going arbitration proceeding.

1 Alternatively, as explained by Mr. Watkins, the FCC may weigh in on the issue.
2 Certainly, the TRA could decide this issue in this docket.

3 **Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING**
4 **FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE**
5 **COVERAGE IN YOUR SERVICE AREA?**

6 A: No, not in my opinion. For example, in my experience, Verizon has a number of
7 towers erected in our service area along Highway 27. That is only a small portion of
8 our company's service area. In fact, I use Verizons's service and I am aware that
9 when I travel to Oneida, TN within our company's area, I do not have a strong signal
10 and cannot make a cellular call at all. If I have that experience, I imagine others will
11 as well since the cellular phones I see are roughly the same. That being the case, I
12 can only hope that all wireless carriers will have in place programs to identify all of
13 the various dead spots or areas where there is poor service so that customers that may
14 want to have their number ported to a wireless carrier (and none have requested that
15 to date) will not be left holding the bag when we disconnect their landline service
16 and they potentially have no service or poor quality wireless service.

17 **Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
18 **THE TRA TO CONSIDER?**

19 A: No.

1 UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY

2 TESTIMONY IN THIS MATTER ON BEHALF OF Highland Tel Corp

3

4 Roger Galbuser Date: 6/2/04

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF DESDA K. PASSARELLA HUTCHINS ON BEHALF OF
LORETTO TELEPHONE COMPANY, INC.**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: Desda K. Passarella Hutchins
4 Loretto Telephone Company, Inc.
5 136 Main Street; P. O. Box 130
6 Loretto, Tennessee 38469
7 931/853-4351

8 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

9 A: Loretto Telephone Company, Inc.

10 **Q: WHAT ARE YOUR CURRENT POSITION, DUTIES, AND**
11 **RESPONSIBILITIES AT LORETTO COMPANY, INC.**

12 A: My Current Position is Chief Financial Officer. My duties and responsibilities at
13 Loretto Telephone Company, Inc. are the direction of all the Accounting and
14 Financial Activities of the organization, the supervision of three degreed
15 Accountants, a Plant Accountant, a Data Processing Operator, and our Customer
16 Service Department Supervisor, as well as oversight of any Regulatory Issues In
17 reporting to the President/General Manager, my duties also include assisting with the
18 development and review of Company Policy.

19 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
20 **ACCESS LINES DOES YOUR COMPANY HAVE?**

21 A: Residence: 5,267

22 Business: 776

23 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

1 A: No.

2 Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER
3 PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?

4 A: No.

5 Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER
6 PORTING FROM A WIRELESS CARRIER WITH A POINT OF
7 INTERCONNECTION IN ANY OF YOUR RATE CENTERS?

8 A: No.

9 Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER
10 PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING
11 RESOURCES IN YOUR RATE CENTERS?

12 A: No.

13 Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING
14 TO YOUR EXCHANGE(S)?

15 A: Yes.

16 Q: FOR WHAT EXCHANGE(S) IS YOUR COMPANY SEEKING A
17 SUSPENSION OF ITS INTERMODAL PORTING OBLIGATIONS?

18 A: Loretto 931/853
19 Leoma 931/852
20 Ethridge 931/829
21 St. Joseph 931/845
22 Five Points 931/556

1 **Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA**
2 **IN CONNECTION WITH YOUR PETITION?**

3 A: A suspension of our company's LNP obligations until the latter of (1) October 1,
4 2004, the date our software and back office systems will be LNP ready, (2) six
5 months after the date the appeal of the FCC LNP Order is completed, currently
6 pending before the United States Court of Appeals for the D.C. Circuit, Case No. 03-
7 1443, or (3) six months after the date the TRA resolves the policy issues related to
8 the transport or rating and routing issues raised in the Amended Petition.

9 **Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY**
10 **SOFTWARE TO ACTUALLY PORT A NUMBER?**

11 A: Yes.

12 **Q: IN ADDITION TO THE SOFTWARE, WILL IT BE NECESSARY TO**
13 **INSTALL ANY HARDWARE IN YOUR SWITCH IN ORDER TO**
14 **ACTUALLY PORT A NUMBER?**

15 A: No.

16 **Q: WHAT ARE THE ESTIMATED LNP SOFTWARE AND HARDWARE**
17 **IMPLEMENTATION COSTS FOR EACH EXCHANGE?**

18 A: A cost of \$720 was incurred for the installation of the software in our Central
19 Offices.

20 **Q: WHAT IS THE ANTICIPATED DATE BY WHICH THE LNP TESTING**
21 **WILL BE COMPLETED FOR EACH EXCHANGE?**

22 A: Our internal testing of the software modifications of LNP capability regarding the
23 query process has been completed. Thereafter, we will be able to coordinate testing

1 with any requesting wireless carrier at a mutually convenient time in order to help
2 ensure that the goal of any LNP – the completion of end user traffic – can occur.

3 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
4 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
5 **ORDER TO PORT A NUMBER?**

6 A: In our March 24th Amended Petition, we identified the necessary back office
7 functions that we needed to undertake. An agreement with NeuStar must be
8 completed and processed before LNP can be implemented. Service Order
9 Administration will need to be contracted from a consulting firm. Also Billing
10 Software changes must be made, dependent upon how rating issues are resolved with
11 the interconnection issues. Customer Service Representatives will then need to be
12 trained and customers will need to be educated, once all issues have been resolved.
13 Also Trading Partner Profiles must be completed with each wireless carrier
14 requesting porting.

15 **Q: WHAT IS THE DATE BY WHICH THESE LNP "BACK OFFICE"**
16 **FUNCTIONS WILL BE COMPLETED FOR EACH EXCHANGE?**

17 A: If all goes as planned, we anticipate that we will have in place all of our necessary
18 back office functions by October 1, 2004. I note that some of the items I have listed
19 are not really within our control to finalize and we will need to wait for those parties
20 to finalize the arrangements before we can proceed. One specific item I am referring
21 to is the final implementation of the NeuStar Agreement. I understand from our
22 vendor, NeuStar, that it has an existing backlog of three months.

1 **Q: DO YOU AGREE WITH THE TESTIMONY OF MIKE HICKS OF TDS**
2 **TELECOM DESCRIBING THE BACK OFFICE DUTIES THAT ARE**
3 **REQUIRED TO IMPLEMENT LNP?**

4 A: Yes

5 **Q: WHAT ARE THE ESTIMATED LNP "BACK OFFICE"**
6 **IMPLEMENTATION COSTS FOR YOUR COMPANY?**

7 A: We expect to incur the following estimated LNP "Back Office" Implementation
8 Costs for our Company:

9 Billing Software Programming Changes	\$12,000
10 Customer Service Training Expense	\$ 2,000
11 Administration Expenses	\$10,000
12 Customer Education Expense	\$ 7,000
13 Service Order Administration Expense	\$24,000

14 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
15 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
16 **INTERMODAL PORTING?**

17 A: Our Total Projected Costs for implementing Local Number Portability over the next
18 5 years is \$110,721. Therefore the estimated cost per end user (using customer base
19 projection of 6,043) of the costs that our Company will incur to implement
20 intermodal porting will be \$ 18.32.

21 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
22 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
23 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

1 A: Two (2) Inquiries

2 **Q: HAS YOUR COMPANY HAD TO RESPOND TO ANY REQUESTS FOR**
3 **LNP FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
4 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

5 A: No.

6 **Q: DOES YOUR COMPANY CURRENTLY HAVE ANY AGREEMENTS IN**
7 **PLACE WITH A WIRELESS CARRIER THAT ADDRESS HOW END USER**
8 **TRAFFIC IS TO BE PHYSICALLY EXCHANGED BETWEEN THE TWO**
9 **COMPANIES?**

10 A: No we do not. In fact, we believe the TRA is well aware of the status of connecting
11 arrangements between the smaller Independent Telephone Companies (like my
12 company) arising from the status of Docket Nos. 00-00523 and 03-00585 through
13 00589. As the TRA is aware, those proceedings address efforts to establish proper
14 terms and conditions for the exchange of end user traffic with a wireless carrier.
15 From my perspective, the fact that the proceeding is on-going demonstrates that the
16 terms and conditions do not exist. In any event, I will defer to Mr. Watkins to
17 explain in detail what that arbitration entails should questions arise that are necessary
18 to answer in this proceeding.

19 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
20 **CONNECTION TO A TANDEM OFFICE?**

21 A: While we have physical connections to a tandem office of BellSouth and to IRIS
22 Networks along with our company being a Centralized IntraLATA Access Tandem, I
23 am not aware of any authority that would allow my company alone to decide to place

1 traffic destined to a wireless carrier over those facilities. Moreover, our
2 responsibility for those facilities – both technically and economically – ends at our
3 service area boundary. Put another way, we do not have responsibility for the
4 transport of any traffic beyond our existing network and service area.

5 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
6 **TO SEND A CALL TO A WIRELESS PROVIDER?**

7 A: Yes. Anytime that a call is placed on facilities and carried to another point on my
8 network or that of another carrier there are transport costs involved. As I indicated
9 above, however, any transport obligations we may have for traffic ends at our
10 existing network/service boundary.

11 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
12 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

13 A: No. Our existing rates afford us recovery for the operation of our network alone.
14 Those operations, including the deployment of facilities in our network and the
15 maintenance of our network, are derived from a limited number of sources -- our
16 local rates and access charges.

17 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT WOULD TRANSPORT**
18 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
19 **WIRELESS PROVIDER?**

20 A: No, and that is the major point. As Mr. Watkins notes (and I agree with him), the
21 FCC's directives regarding our responsibility in a wireless number porting
22 environment simply are difficult to reconcile with our existing operations. Our
23 existing carrier arrangements, our rates, our network, and our responsibility for that

1 network do not contemplate porting until the transport issues are resolved.
2 Moreover, we do not believe that either our company or end users should be exposed
3 to the costs associated with transporting traffic beyond our network until the
4 questions noted by Mr Watkins are answered. It is my understanding that the TRA
5 will be addressing this issue in the separate, on-going arbitration proceeding.
6 Alternatively, as explained by Mr. Watkins, the FCC may weigh in on the issue.
7 Certainly, the TRA could decide this issue in this docket.

8 **Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING**
9 **FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE**
10 **COVERAGE IN YOUR SERVICE AREA?**

11 A: No, not in my opinion. I can only hope that all wireless carriers will have in place
12 programs to identify all of the various dead spots or areas where there is poor service
13 so that customers that may want to have their number ported to a wireless carrier
14 (and only two have requested that to date) will not be left holding the bag when we
15 disconnect their landline service and they potentially have no service or poor quality
16 wireless service.

17 **Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
18 **THE TRA TO CONSIDER?**

19 A: Wireless carriers not only claim that they are not aware of, but also that they are not
20 responsible for, the N-1 duty in completing the porting of a call in some situations.
21 Once again, the success of LNP will be in jeopardy through no fault of the wireline
22 carrier! If the wireless carriers are not able to perform the N-1 query, contracts will

1 need to be negotiated concerning the performance of the query process and payment
2 thereof.

3 The main criticism is that an unfair burden will be placed on customers who
4 do not choose to port. The customers who choose to port never incur any cost
5 burden as a result of their decision to port!

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1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF LORETTO TELEPHONE**
3 **COMPANY.**

4
5 *Aesha K. Passarella Hutchins* Date JUNE 3, 2004

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF W S HOWARD ON BEHALF OF MILLINGTON TELEPHONE
COMPANY, INC.**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: W. S. Howard, Millington Telephone Company, Inc., 4880 Navy Rd., Millington,
4 TN 38053

5 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

6 A: Millington Telephone Company, Inc.

7 **Q: WHAT ARE YOUR CURRENT POSITION, DUTIES, AND**
8 **RESPONSIBILITIES AT MILLINGTON TELEPHONE COMPANY?**

9 A: President and General Manager.

10 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
11 **ACCESS LINES DOES YOUR COMPANY HAVE?**

12 A: 26,630

13 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

14 A: Yes.

15 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
16 **PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?**

17 A: No.

18 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
19 **PORTING FROM A WIRELESS CARRIER WITH A POINT OF**
20 **INTERCONNECTION IN ANY OF YOUR RATE CENTERS?**

21 A: No.

1 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
2 **PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING**
3 **RESOURCES IN YOUR RATE CENTERS?**

4 A: No.

5 **Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING**
6 **TO YOUR EXCHANGE(S)?**

7 A: Yes.

8 **Q: FOR WHAT EXCHANGE(S) IS YOUR COMPANY SEEKING A**
9 **SUSPENSION OF ITS INTERMODAL PORTING OBLIGATIONS?**

10 A: NPA 901: 294, 594, 829, 835, 837, 872, 873, 874, 840; NPA 731: 548

11 **Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA**
12 **IN CONNECTION WITH YOUR PETITION?**

13 A: A suspension of our company's LNP obligations until the latter of (1) September 1,
14 2004 the date our switch and back office responsibilities will be LNP ready; (2) six
15 months after the date the appeal of the FCC LNP Order is completed, currently
16 pending before the United States Court of Appeals for the D.C. Circuit, Case No. 03-
17 1443, or (3) six months after the date the TRA resolves the policy issues related to
18 the transport or rating and routing issues raised in the Amended Petition.

19 **Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY**
20 **SOFTWARE TO ACTUALLY PORT A NUMBER?**

21 A: No.

22 **Q: WHEN DO YOU PLAN TO INSTALL THAT SOFTWARE?**

23 A: Installation should be completed by the end of June.

1 **Q: IN ADDITION TO THE SOFTWARE, WILL IT BE NECESSARY TO**
2 **INSTALL ANY HARDWARE IN YOUR SWITCH IN ORDER TO**
3 **ACTUALLY PORT A NUMBER?**

4 A: No.

5 **Q: WHAT ARE THE ESTIMATED LNP SOFTWARE AND HARDWARE**
6 **IMPLEMENTATION COSTS FOR EACH EXCHANGE?**

7 A: \$219,949.

8 **Q: WHAT IS THE ANTICIPATED DATE BY WHICH THE LNP TESTING**
9 **WILL BE COMPLETED FOR EACH EXCHANGE?**

10 A: We currently plan our internal testing of the software and hardware modifications of
11 LNP capability by August 1. Thereafter, we will be able to coordinate testing with
12 any requesting wireless carrier at a mutually convenient time in order to help ensure
13 that the goal of any LNP – the completion of end user traffic – can occur.

14 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
15 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
16 **ORDER TO PORT A NUMBER?**

17 A: In our March 24th Amended Petition, we identified the necessary back office
18 functions that we needed to undertake. Since that time, the Company has
19 accomplished the following items: contracts have been signed or submitted to
20 vendors for data dips, SOA administration, and NEUSTAR database services.
21 Several aspects still remain. These include central office training that is dependent
22 upon completion of the software installation and testing; preliminary customer
23 service training has begun.

1 **Q: WHAT IS THE DATE BY WHICH THESE LNP "BACK OFFICE"**
2 **FUNCTIONS WILL BE COMPLETED FOR EACH EXCHANGE?**

3 A: If all goes as planned, we anticipate that we will have in place all of our necessary
4 back office functions by no later than August 15. I note that some of the items I have
5 listed are not really within our control to finalize and we will need to wait for those
6 parties to finalize the arrangements before we can proceed. The specific items I am
7 referring to are central office training. I understand from our vendor, NORTEL, that
8 the activity should be completed by August 15.

9 **Q: DO YOU AGREE WITH THE TESTIMONY OF MIKE HICKS OF TDS**
10 **TELECOM DESCRIBING THE BACK OFFICE DUTIES THAT ARE**
11 **REQUIRED TO IMPLEMENT LNP?**

12 A: Yes.

13 **Q: WHAT ARE THE ESTIMATED LNP "BACK OFFICE"**
14 **IMPLEMENTATION COSTS FOR YOUR COMPANY?**

15 A: So far, we have expended approximately \$5000.00 and we anticipate the need to
16 expend an additional \$15,000.00.

17 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
18 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
19 **INTERMODAL PORTING?**

20 A: Our estimated cost per end user is \$24.48.

21 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
22 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
23 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

1 A: None.

2 **Q: HAS YOUR COMPANY HAD TO RESPOND TO ANY REQUESTS FOR**
3 **LNP FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
4 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

5 A: No.

6 **Q: DOES YOUR COMPANY CURRENTLY HAVE ANY AGREEMENTS IN**
7 **PLACE WITH A WIRELESS CARRIER THAT ADDRESS HOW END USER**
8 **TRAFFIC IS TO BE PHYSICALLY EXCHANGED BETWEEN THE TWO**
9 **COMPANIES?**

10 A: No we do not. In fact, we believe the TRA is well aware of the status of connecting
11 arrangements between the smaller Independent Telephone Companies (like my
12 company) arising from the status of Docket Nos. 00-00523 and 03-00585 through
13 00589. As the TRA is aware, those proceedings address efforts to establish proper
14 terms and conditions for the exchange of end user traffic with a wireless carrier.
15 From my perspective, the fact that the proceeding is on-going demonstrates that the
16 terms and conditions do not exist. In any event, I will defer to Mr. Watkins to
17 explain in detail what that arbitration entails should questions arise that are necessary
18 to answer in this proceeding.

19 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
20 **CONNECTION TO A TANDEM OFFICE?**

21 A: While we have physical connections to a tandem office of BELLSOUTH, I am not
22 aware of any authority that would allow my company alone to decide to place traffic
23 destined to a wireless carrier over those facilities. Moreover, our responsibility for

1 those facilities – both technically and economically – ends at our service area
2 boundary. Put another way, we do not have responsibility for the transport of any
3 traffic beyond our existing network and service area.

4 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
5 **TO SEND A CALL TO A WIRELESS PROVIDER?**

6 A: Yes. Anytime that a call is placed on facilities and carried to another point on my
7 network or that of another carrier there are transport costs involved. As I indicated
8 above, however, any transport obligations we may have for traffic ends at our
9 existing network/service boundary.

10 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
11 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

12 A. No. Our existing rates afford us recovery for the operation of our network alone.
13 Those operations, including the deployment of facilities in our network and the
14 maintenance of our network, are derived from a limited number of sources -- our
15 local rates and access charges. I also note that when I use the term local rates, that
16 also includes surcharges since my customers see these as listed on their local
17 telephone bill and they consider them part of the local service.

18 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT WOULD TRANSPORT**
19 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
20 **WIRELESS PROVIDER?**

21 A: No, and that is the major point. As Mr. Watkins notes (and I agree with him), the
22 FCC's directives regarding our responsibility in a wireless number porting
23 environment simply are difficult to reconcile with our existing operations. Our

existing carrier arrangements, our rates, our network, and our responsibility for that network do not contemplate porting until the transport issues are resolved. Moreover, we do not believe that either our company or end users should be exposed to the costs associated with transporting traffic beyond our network until the questions noted by Mr. Watkins are answered. It is my understanding that the TRA will be addressing this issue in the separate, on-going arbitration proceeding. Alternatively, as explained by Mr. Watkins, the FCC may weigh in on the issue. Certainly, the TRA could decide this issue in this docket.

Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE COVERAGE IN YOUR SERVICE AREA?

A: No, not in my opinion. Cingular is the only wireless carrier to submit a request. At this time, there are several areas of our serving area where calls are routinely dropped. This is particularly bothersome because we were partners with them from the beginning until September 1997. They agreed from the beginning to "cover our area". It still has not been done. It raises a strong question within our minds that if a partner will not cover the area, why or will other wireless carriers provide complete coverage.

Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE THE TRA TO CONSIDER?

A: We strongly believe the vast majority of our customers will not opt for portability to wireless for some time. The vast majority will feel this is a new tax or revenue for

the local telephone company. Attached is a worksheet that illustrates the steps required of Millington for LNP.

1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF MILLINGTON TELEPHONE**
3 **COMPANY, INC.**

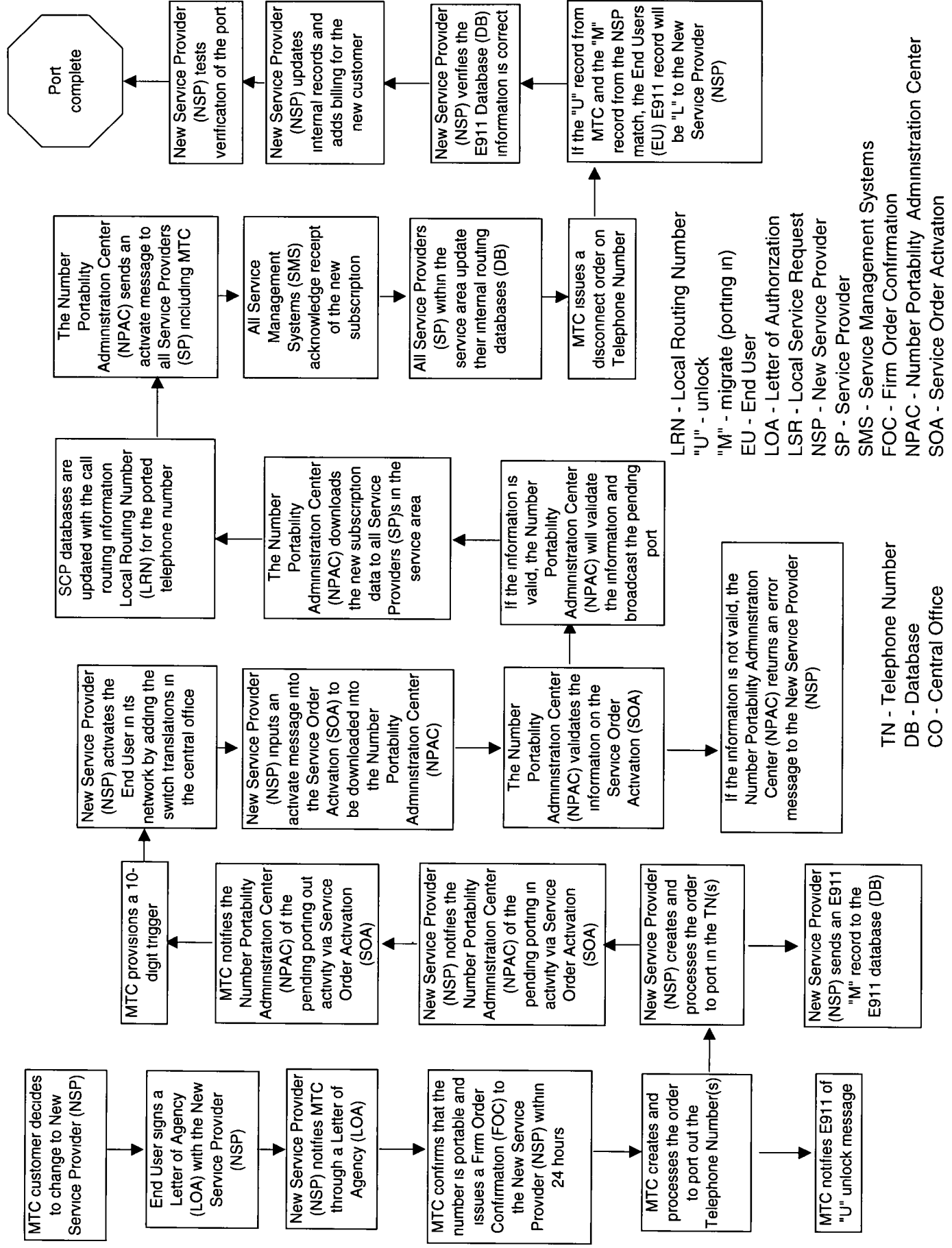
4

5

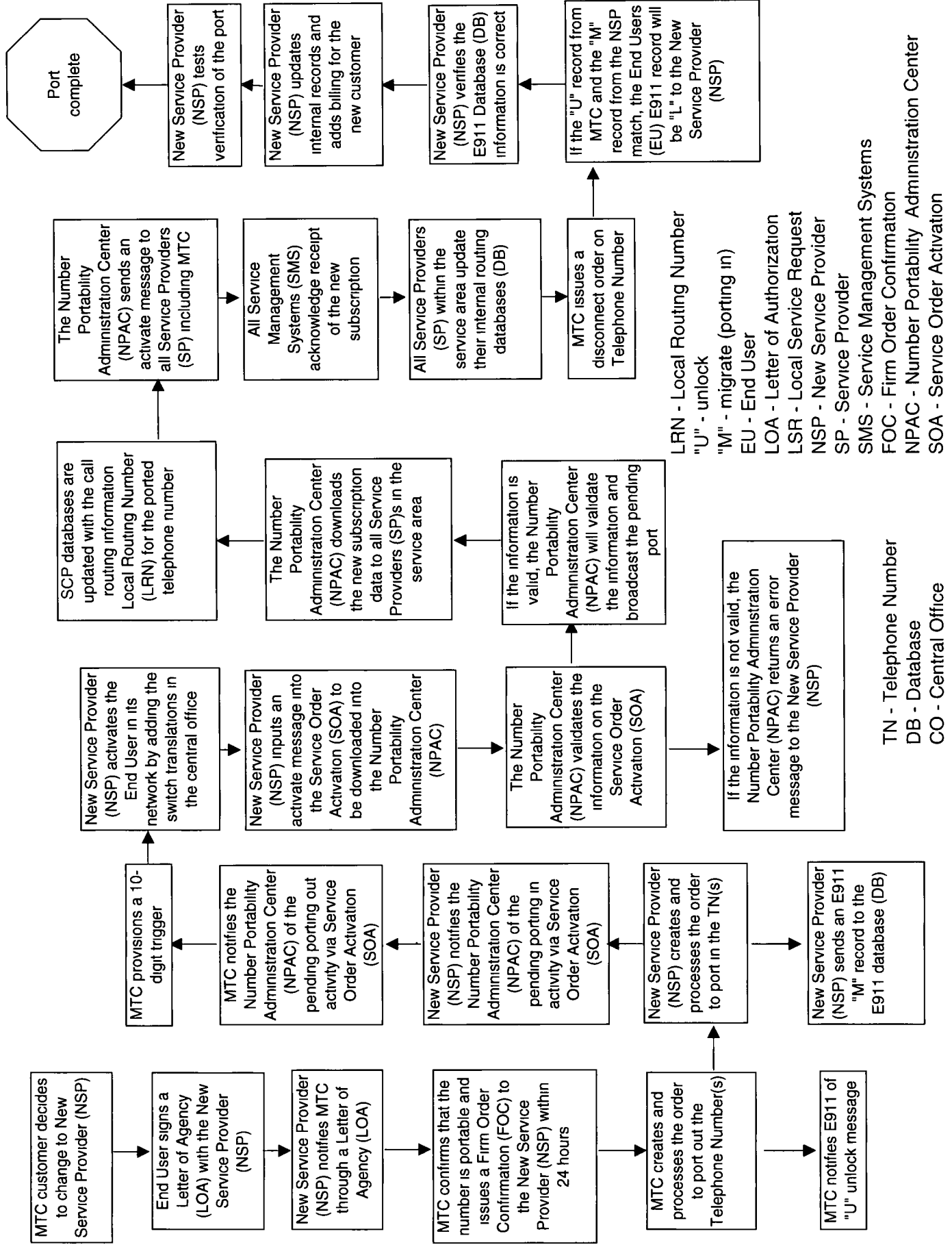
W.S. Howard

Date: 6/3/04

MTC LNP Flow Chart



MTC LNP Flow Chart



**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF F. THOMAS ROWLAND ON BEHALF OF NORTH CENTRAL
TELEPHONE COOPERATIVE, INC.**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: F. Thomas Rowland, North Central Telephone Cooperative, Inc., 872 E. Hwy. 52
4 Bypass, P. O. Box 70, Lafayette, TN 37083.

5 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

6 A: North Central Telephone Cooperative, Inc.

7 **Q: WHAT IS YOUR CURRENT POSITION AT NORTH CENTRAL**
8 **TELEPHONE COOPERATIVE, INC.?**

9 A: President and Chief Executive Officer.

10 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
11 **ACCESS LINES DOES YOUR COMPANY HAVE?**

12 A: Residential -- 14,110; Business -- 2,327.

13 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

14 A: Yes (Sumner County region only).

15 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
16 **PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?**

17 A: No.

18 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
19 **PORTING FROM A WIRELESS CARRIER WITH A POINT OF**
20 **INTERCONNECTION IN ANY OF YOUR RATE CENTERS?**

21 A: Yes -- Type 1 numbering.

1 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
2 **PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING**
3 **RESOURCES IN YOUR RATE CENTERS?**

4 A: Yes.

5 **Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING**
6 **TO YOUR EXCHANGE(S)?**

7 A: Yes.

8 **Q: FOR WHAT EXCHANGE(S) IS YOUR COMPANY SEEKING A**
9 **SUSPENSION OF ITS INTERMODAL PORTING OBLIGATIONS?**

10 A:	<u>Switch Designation</u>	<u>Exchanges</u>
11	OKGVTNXADSO	615-362
12	OKGVTNXARS5	615-888
13	WMLDTNXARS5	615-644
14	BTHPTNXARS5	615-841
15	GNGVTNXARS5	615-655
16	LFYTTNXADS1	615-666, 615-688
17	PLSHTNXARS5	615-677
18	RBSPTNXARS5	615-699
19	DFTDTNXARS5	615-774
20	HLDLTNXARS5	615-633
21		

22 **Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA**
23 **IN CONNECTION WITH YOUR PETITION?**

24 A: A suspension of our company's LNP obligations until the latter of (1) six months
25 after the date the appeal of the FCC LNP Order is completed, currently pending
26 before the United States Court of Appeals for the D.C. Circuit, Case No. 03-1443, or
27 (2) six months after the date the TRA resolves the policy issues related to the
28 transport or rating and routing issues raised in the Amended Petition.

1 **Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY**
2 **SOFTWARE AND HARDWARE TO ACTUALLY PORT A NUMBER?**

3 A: Yes.

4 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
5 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
6 **ORDER TO PORT A NUMBER?**

7 A. North Central had to establish connectivity with the NPAC database, established
8 guidelines for customer service representatives to enable porting and service order
9 procedures, modification of telephone billing system to ensure that ported out
10 numbers are identified and will not be released again. It also had to establish number
11 reporting procedures to NANPA.

12 **Q: DO YOU AGREE WITH THE TESTIMONY OF MIKE HICKS OF TDS**
13 **TELECOM DESCRIBING THE BACK OFFICE DUTIES THAT ARE**
14 **REQUIRED TO IMPLEMENT LNP?**

15 A: Yes.

16 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
17 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
18 **INTERMODAL PORTING?**

19 A: North Central has substantial costs in attempting to meet its LNP obligations and is
20 currently seeking to identify these costs more specifically. Presently, its calculations
21 are that it has spent approximately \$200,760 in LNP software costs, along with
22 \$53,000 to complete LNP installation with approximately \$800 in monthly costs.
23 We have not been able to quantify these costs on an end user basis.

1 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
2 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
3 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

4 A: None.

5 **Q: HAS ANY WIRELESS CARRIER PROVIDED YOU ANY SIMILAR**
6 **REQUEST(S)?**

7 A: No

8 **Q: HAS YOUR COMPANY HAD TO RESPOND TO ANY REQUESTS FOR**
9 **LNP FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
10 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

11 A: No.

12 **Q: DOES YOUR COMPANY CURRENTLY HAVE ANY AGREEMENTS IN**
13 **PLACE WITH A WIRELESS CARRIER THAT ADDRESS HOW END USER**
14 **TRAFFIC IS TO BE PHYSICALLY EXCHANGED BETWEEN THE TWO**
15 **COMPANIES?**

16 A: No we do not. In fact, we believe the TRA is well aware of the status of connecting
17 arrangements between the smaller Independent Telephone Companies (like my
18 company) arising from the status of Docket Nos. 00-00523 and 03-00585 through
19 00589. As the TRA is aware, those proceedings address efforts to establish proper
20 terms and conditions for the exchange of end user traffic with a wireless carrier.
21 From my perspective, the fact that the proceeding is on-going demonstrates that the
22 terms and conditions do not exist. In any event, I will defer to Mr. Watkins to

1 explain in detail what that arbitration entails should questions arise that are necessary
2 to answer in this proceeding.

3 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
4 **CONNECTION TO A TANDEM OFFICE?**

5 **A:** While we have physical connections to a tandem office of BellSouth, I am not aware
6 of any authority that would allow my company alone to decide to place traffic
7 destined to a wireless carrier over those facilities. Moreover, our responsibility for
8 those facilities – both technically and economically – ends at our service area
9 boundary. Put another way, we do not have responsibility for the transport of any
10 traffic beyond our existing network and service area.

11 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
12 **TO SEND A CALL TO A WIRELESS PROVIDER?**

13 **A:** Yes. Anytime that a call is placed on facilities and carried to another point on my
14 network or that of another carrier there are transport costs involved. As I indicated
15 above, however, any transport obligations we may have for traffic ends at our
16 existing network/service boundary.

17 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
18 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

19 **A:** No. Our existing rates afford us recovery for the operation of our network alone.
20 Those operations, including the deployment of facilities in our network and the
21 maintenance of our network, are derived from a limited number of sources -- our
22 local rates and access charges. I also note that when I use the term local rates, that

1 also includes surcharges since my customers see these as listed on their local
2 telephone bill and they consider them part of the local service.

3 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT WOULD TRANSPORT**
4 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
5 **WIRELESS PROVIDER?**

6 A: No, and that is the major point. As Mr. Watkins notes (and I agree with him), the
7 FCC's directives regarding our responsibility in a wireless number porting
8 environment simply are difficult to reconcile with our existing operations. Our
9 existing carrier arrangements, our rates, our network, and our responsibility for that
10 network do not contemplate porting until the transport issues are resolved.
11 Moreover, we do not believe that either our company or end users should be exposed
12 to the costs associated with transporting traffic beyond our network until the
13 questions noted by Mr. Watkins are answered. It is my understanding that the TRA
14 will be addressing this issue in the separate, on-going arbitration proceeding.
15 Alternatively, as explained by Mr. Watkins, the FCC may weigh in on the issue.
16 Certainly, the TRA could decide this issue in this docket.

17 **Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING**
18 **FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE**
19 **COVERAGE IN YOUR SERVICE AREA?**

20 A: CMRS providers have erected a number of towers in our service area along Highway
21 10 and Highway 52. However, this is only a small portion of our company's service
22 area. In fact, when I use my cell phone in our service area there are numerous dead
23 spots where no service exists or the signal is extremely weak resulting in difficulties

1 in conducting a conversation over the cell phone. If I have that experience, I imagine
2 others will as well since the cellular phones I see are roughly the same. That being
3 the case, I can only hope that all wireless carriers will have in place programs to
4 identify all of the various dead spots or areas where there is poor service so that
5 customers that may want to have their number ported to a wireless carrier (and none
6 have requested that to date) will not be left holding the bag when we disconnect their
7 landline service and they potentially have no service or poor quality wireless service.

8 **Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
9 **THE TRA TO CONSIDER?**

10 A: No.

**UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY
TESTIMONY IN THIS MATTER ON BEHALF OF NORTH CENTRAL
TELEPHONE COOPERATIVE, INC.**

A handwritten signature in black ink, appearing to be "A. J. [unclear]", written over a horizontal line.

Date: 6/2/2004

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF LERA ROARK ON BEHALF OF CROCKETT, PEOPLES AND
WEST TENNESSEE TELEPHONE COMPANIES, HEREINAFTER REFERRED TO
AS "COMPANIES".**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: Lera Roark, TEC Services, Inc., 1309 Louisville Avenue, Monroe, Louisiana, 71201,
4 318-322-0015.

5 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

6 A: Crockett, Peoples and West Tennessee Telephone Companies.

7 **Q: WHAT ARE YOUR CURRENT POSITION, DUTIES, AND**
8 **RESPONSIBILITIES AT CROCKETT, PEOPLES AND WEST TENNESSEE**
9 **TELEPHONE COMPANIES?**

10 A: I am Vice President of each company. In this capacity I am responsible for
11 contracts, tariffs, settlements, Carrier Access Billing, Subscriber Billing, directories,
12 special circuits, and LNP implementation.

13 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
14 **ACCESS LINES DOES YOUR COMPANY HAVE?**

15 A: Crockett. Residential 3328 Business 906
16 Peoples: Residential 4333 Business 861
17 West Tennessee: Residential 4072 Business 629

18 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

19 A: No for all companies.

20 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
21 **PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?**

1 A: No, we did not receive a request for porting of a number. We received a non-bona
2 fide request for basic information with a non-specific request of this information
3 such as trading partner profile.

4 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
5 **PORTING FROM A WIRELESS CARRIER WITH A POINT OF**
6 **INTERCONNECTION IN ANY OF YOUR RATE CENTERS?**

7 A: No for all companies.

8 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
9 **PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING**
10 **RESOURCES IN YOUR RATE CENTERS?**

11 A: No for all companies.

12 **Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING**
13 **TO YOUR EXCHANGE(S)?**

14 A: Yes

15 **Q: FOR WHAT EXCHANGE(S) IS YOUR COMPANY SEEKING A**
16 **SUSPENSION OF ITS INTERMODAL PORTING OBLIGATIONS?**

17 A: Crockett: Alamo, Friendship, and Maury City

18 Peoples: Erin, Tennessee Ridge, and Henry

19 West Tennessee: Bradford, Trezevant, Rutherford, and Atwood

20 **Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA**
21 **IN CONNECTION WITH YOUR PETITION?**

22 A: A suspension of our company's LNP obligations until the latter of (1) December 31,
23 2004, the date our switch and back office responsibilities will be LNP ready; (2) six

1 months after the date the appeal of the FCC LNP Order is completed, currently
2 pending before the United States Court of Appeals for the D.C. Circuit, Case No. 03-
3 1443, or (3) six months after the date the TRA resolves the policy issues related to
4 the transport or rating and routing issues raised in the Amended Petition.

5 **Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY**
6 **SOFTWARE TO ACTUALLY PORT A NUMBER?**

7 A: No.

8 **Q: WHEN DO YOU PLAN TO INSTALL THAT SOFTWARE?**

9 A: The current schedule is to install the software in each company's host office switch.
10 By August 31, 2004, each host office switch should be ready, i.e., installed and
11 tested. The "back office" and contracts/agreements required to implement LNP will
12 not be ready until December 31, 2004.

13 **Q: IN ADDITION TO THE SOFTWARE, WILL IT BE NECESSARY TO**
14 **INSTALL ANY HARDWARE IN YOUR SWITCH IN ORDER TO**
15 **ACTUALLY PORT A NUMBER?**

16 A: Unknown. An Engineering consulting firm is handling this upgrade for each
17 company.

18 **Q: WHEN DO YOU PLAN TO INSTALL THAT HARDWARE?**

19 A: Each company's Host Office Switch is scheduled for June 30, 2004, installation,
20 with testing and validation to be completed by August 30 2004, if no complications.

21 **Q: WHAT ARE THE ESTIMATED LNP SOFTWARE AND HARDWARE**
22 **IMPLEMENTATION COSTS FOR EACH EXCHANGE?**

23 A: Crockett: \$49,500.00

1 Peoples: \$49,500.00

2 West Tennessee: \$60,500.00

3 **Q: WHAT IS THE ANTICIPATED DATE BY WHICH THE LNP TESTING**
4 **WILL BE COMPLETED FOR EACH EXCHANGE?**

5 A: We currently plan our internal testing of the software and hardware modifications of
6 LNP capability by August 30, 2004, if no problems, for each host office. Thereafter,
7 we will be able to coordinate testing with any requesting wireless carrier at a
8 mutually convenient time in order to help ensure that the goal of any LNP – the
9 completion of end user traffic – can occur.

10 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
11 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
12 **ORDER TO PORT A NUMBER?**

13 A: In our March 24th Amended Petition, we identified the necessary back office
14 functions that we needed to undertake. In addition, the following functions are
15 required:

- 16 1. Procedure manuals and processes must be developed for the porting process
17 which must contain at least the following minimum requirements:
 - 18 a. Capability to validate porting out subscriber
 - 19 b. Capability to accommodate a port-to-original
 - 20 c. Pre-Port and Provisioning Systems such as intercarrier
21 communication process, local service request/firm order commitment,
22 service order administration (connection to NPACs for provisioning
23 of ported numbers), and local service management system.

- 1 d. How to deal with snapback and treatment of disconnected numbers.
- 2 e. How to deal with Default Routed Calls and options
- 3 f. Determine and develop procedures for trunking capacities, forecasts,
- 4 traffic type, etc.
- 5 g. Exchange of data with trading partners, such as basic contact
- 6 information including escalation list and process, day-to-day
- 7 personnel information.
- 8 h. Develop basic technical information sufficient to allow pre-port
- 9 customer validation (transmission method, fax numbers, test system
- 10 information.)
- 11 i. Basic information for customer validation (mandatory information
- 12 fields needed).
- 13 j. Establish business days, hours for porting
- 14 k. Complete testing agreements/arrangements
- 15 l. Employee training
- 16 m. Customer/Community Education
- 17 n. Retention programs
- 18 2. Programming will be required in the subscriber billing system to denote when
- 19 a customer has ported his number, to whom ported, and date ported. The
- 20 number must be maintained in the billing system as the number will not be
- 21 available to be re-assigned to another subscriber. Also, programming will be
- 22 required to handle toll calls that may be received after the number is ported,

1 and procedures must be developed to return toll calls to the originating
2 carrier.

3 3. Programming will be required in the ticketing and recording system to handle
4 ported numbers.

5 4. Programming will be required in the CABS billing system to handle ported
6 numbers.

7 5. Programming will be required in the Write-Off Recovery program to handle
8 ported numbers.

9 6. Programming will be required to handle snap-back customers.

10 7. Procedure manuals will need to be developed and written on the processing,
11 testing, and changes to existing systems for each of the above listed
12 programming changes for porting of numbers.

13 8. A local routing number will be required and procedures set up with the local
14 number portability database provider. (The LRN is obtained and established
15 from INC and is a separate process. This number must be obtained before
16 notifying industry LERG and NPAC). These procedures also include, but are
17 not limited to, a Non-Disclosure Agreement, contracts for services and at the
18 level at which the service will be provided such as a direct connection,
19 service bureau approach, the low tech approach, i.e., will we call and report
20 the number to be ported, handle via email, fax, etc.

21 9. Procedures must be established for E911 database removal of LEC company
22 information and time lines and for information and time lines to be
23 coordinated with the new carrier for input into the E911 database by new

1 carrier, if available. Also, how to handle mixed service (subscriber has
2 service from both carriers until porting process is complete) must be
3 determined.

4 10. Negotiate arrangements with CMRS carriers, if needed. At a minimum we
5 must exchange data and procedures for the porting process with the CMRS
6 carriers.

7 11. Address and develop procedures to handle LIDB and CNAM issues and
8 update of these databases for the ported number.

9 12. Develop procedures and processes to port Type 1 interconnections This
10 presents a whole new set of problems and processes because the number is
11 assigned to a wireless carrier, but the telephone number used resides in the
12 LEC switch. Usually the numbers are assigned in a number range; therefore
13 several programs will have to be changed if a number in the range gets
14 ported.

15 13. Determine who will be responsible for the LNP database dip, how cost
16 recovery will be obtained, when the query should be launched, etc.

17 14. Develop processes and procedures to handle fallouts of the porting process
18 during the porting process.

19 15. Develop cost recovery of the LNP process and file appropriate FCC tariffs.

20 **Q: WHAT IS THE DATE BY WHICH THESE LNP "BACK OFFICE"**
21 **FUNCTIONS WILL BE COMPLETED FOR EACH EXCHANGE?**

1 A: If all goes as planned, we anticipate that we will have in place all of our necessary
2 back office functions by no later than December 31, 2004, for each company, if no
3 problems or complications occur.

4 **Q: DO YOU AGREE WITH THE TESTIMONY OF MIKE HICKS OF TDS**
5 **TELECOM DESCRIBING THE BACK OFFICE DUTIES THAT ARE**
6 **REQUIRED TO IMPLEMENT LNP?**

7 A: Yes.

8 **Q: WHAT ARE THE ESTIMATED LNP "BACK OFFICE"**
9 **IMPLEMENTATION COSTS FOR YOUR COMPANY?**

10 A: Testing and validation of switch functions, programming, development of procedures
11 and manuals, and other administrative costs are estimated at a combined cost of
12 \$225,000.00 for all three companies.

13 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
14 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
15 **INTERMODAL PORTING?**

16 A: Based on a five-year recovery period and assuming all subscribers stay on the
17 network, the estimated cost per month, per end user, per company is: Crockett -
18 \$0.50; Peoples - \$0.40, and West Tennessee - \$0.48. In addition to these costs, for
19 each number ported there will be costs associated with the porting process, possible
20 costs for delivery of ported calls, other undefined programming and administrative
21 costs, and other unknowns that will have to be factored into this calculation

1 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
2 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
3 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

4 A: None for all companies.

5 **Q: HAS YOUR COMPANY HAD TO RESPOND TO ANY REQUESTS FOR**
6 **LNP FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
7 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

8 A: No for all three companies

9 **Q: DOES YOUR COMPANY CURRENTLY HAVE ANY AGREEMENTS IN**
10 **PLACE WITH A WIRELESS CARRIER THAT ADDRESS HOW END USER**
11 **TRAFFIC IS TO BE PHYSICALLY EXCHANGED BETWEEN THE TWO**
12 **COMPANIES?**

13 A: No we do not In fact, we believe the TRA is well aware of the status of connecting
14 arrangements between the smaller Independent Telephone Companies (like my
15 company) arising from the status of Docket Nos. 00-00523 and 03-00585 through
16 00589. As the TRA is aware, those proceedings address efforts to establish proper
17 terms and conditions for the exchange of end user traffic with a wireless carrier.
18 From my perspective, the fact that the proceeding is on-going demonstrates that the
19 terms and conditions do not exist. In any event, I will defer to Mr. Watkins to
20 explain in detail what that arbitration entails should questions arise that are necessary
21 to answer in this proceeding.

22 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
23 **CONNECTION TO A TANDEM OFFICE?**

1 A: While we have physical connections to a tandem office of BellSouth, I am not aware
2 of any authority that would allow my company alone to decide to place traffic
3 destined to a wireless carrier over those facilities. Moreover, our responsibility for
4 those facilities – both technically and economically – ends at our service area
5 boundary. Put another way, we do not have responsibility for the transport of any
6 traffic beyond our existing network and service area.

7 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
8 **TO SEND A CALL TO A WIRELESS PROVIDER?**

9 A: Yes. Anytime that a call is placed on facilities and carried to another point on my
10 network or that of another carrier there are transport costs involved. As I indicated
11 above, however, any transport obligations we may have for traffic ends at our
12 existing network/service boundary.

13 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
14 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

15 A: No. Our existing rates afford us recovery for the operation of our network alone.
16 Those operations, including the deployment of facilities in our network and the
17 maintenance of our network, are derived from a limited number of sources -- our
18 local rates and access charges. I also note that when I use the term local rates, that
19 also includes surcharges since my customers see these as listed on their local
20 telephone bill and they consider them part of the local service.

21 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT WOULD TRANSPORT**
22 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
23 **WIRELESS PROVIDER?**

1 A: No, and that is the major point. As Mr Watkins notes (and I agree with him), the
2 FCC's directives regarding our responsibility in a wireless number porting
3 environment simply are difficult to reconcile with our existing operations. Our
4 existing carrier arrangements, our rates, our network, and our responsibility for that
5 network do not contemplate porting until the transport issues are resolved.
6 Moreover, we do not believe that either our company or end users should be exposed
7 to the costs associated with transporting traffic beyond our network until the
8 questions noted by Mr. Watkins are answered. It is my understanding that the TRA
9 will be addressing this issue in the separate, on-going arbitration proceeding.
10 Alternatively, as explained by Mr. Watkins, the FCC may weigh in on the issue.
11 Certainly, the TRA could decide this issue in this docket.

12 **Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING**
13 **FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE**
14 **COVERAGE IN YOUR SERVICE AREA?**

15 A: I have no personal knowledge of the wireless provider coverage in our service areas.
16 Further, we have not had any requests for service from wireless providers in our
17 service areas.

18 **Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
19 **THE TRA TO CONSIDER?**

20 A: Yes. At a minimum the following should be considered before implementing LNP.

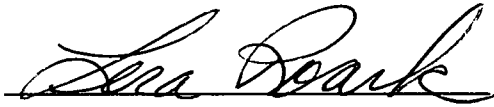
21 1. The LERG (Local Exchange Routing Guide) and the NPAC has to be
22 updated to reflect that a switch is LNP capable. This is a six month process
23 and can not be started until a firm delivery date is received.

2. A local routing number will be required and procedures set up with the local number portability database provider. (The LRN is obtained and established from INC and is a separate process. This number must be obtained before notifying industry LERG and NPAC). These procedures also include, but are not limited to, a Non-Disclosure Agreement, contracts for services and at what level the service will be provided such as a direct connection, service bureau approach, the low tech approach, i.e., will we call and report the number to be ported, handle via email, fax, etc.
3. The issue of what happens when the number has been ported from a wireline to wireless carrier and then is ported by the wireless carrier to another wireless carrier must be addressed and resolved. How does information get back to the original carrier, and how is the call handled and by whom?
4. There is no information in the existing signaling that the terminating company can use to determine where a call originated. This creates several problems in trying to determine the jurisdiction of the call. This issue must be addressed to ensure accurate billing to various carriers.
5. Testing with various CMRS carriers to ensure the least amount of call fallout will be required. Procedures to handle call fallouts will need to be established with each carrier.
6. **HOW IS THE CALL TO COMPLETE?** The carrier requesting the port may not have facilities in the rate center of the wireline company. **If not, who will pay for the facilities, transport costs, and other costs associated with the delivery of the call?** In the absence of connecting facilities with

1 the company who has requested the port, the call has nowhere to be
2 delivered. How can it be rate center porting when the location of the new
3 carrier switch is in another rate center? (This truly appears to be geographic
4 porting. The fact the number is said to be associated with a certain rate
5 center for rating and billing purposes does not make it technically feasible to
6 route and process calls.)

- 7 7. Many of the processes above require contracts with third parties to perform
8 various functions such as the database dip, porting of the number in the LNP
9 database, etc. within the six month time frame. Implementation of many of
10 these procedures requires third party cooperation to meet deadlines and
11 timeframes.

1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF Crockett, Peoples and West**
3 **Tennessee Telephone Companies.**

4 
5 _____

Date: June 3, 2004

6 Lera Roark, Vice President

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF ROBERT D. DUDNEY ON BEHALF OF TWIN LAKES
TELEPHONE COOPERATIVE CORP.**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: Robert D. Dudney, Twin Lakes Telephone Cooperative Corp., 201 West Gore Ave.,
4 P O Box 67, Gainesboro, TN 38562
5 931 268 2151

6 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

7 A: Twin Lakes Telephone Cooperative, Corp.

8 **Q: WHAT ARE YOUR CURRENT POSITION, DUTIES, AND**
9 **RESPONSIBILITIES AT TWIN LAKES TELEPHONE COOPERATIVE**
10 **CORP.**

11 A: I am General Manager, responsible for operation of the Cooperative.

12 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
13 **ACCESS LINES DOES YOUR COMPANY HAVE?**

14 A: 38,011.

15 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

16 A: No.

17 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
18 **PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?**

19 A: No.

20 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
21 **PORTING FROM A WIRELESS CARRIER WITH A POINT OF**
22 **INTERCONNECTION IN ANY OF YOUR RATE CENTERS?**

23 A: Yes.

1 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
2 **PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING**
3 **RESOURCES IN YOUR RATE CENTERS?**

4 A: Yes.

5 **Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING**
6 **TO YOUR EXCHANGE(S)?**

7 A: Yes.

8 **Q: FOR WHAT EXCHANGE(S) IS YOUR COMPANY SEEKING A**
9 **SUSPENSION OF ITS INTERMODAL PORTING OBLIGATIONS?**

10 A: All. We are seeking a suspension only with regard to the matters identified in the
11 next question.

12 **Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA**
13 **IN CONNECTION WITH YOUR PETITION?**

14 A: A suspension of our cooperative's LNP obligations until the latter of (1) six months
15 after the date the appeal of the FCC LNP Order is completed, currently pending
16 before the United States Court of Appeals for the D.C. Circuit, Case No. 03-1443, or
17 (2) six months after the date the TRA resolves the policy issues related to the
18 transport or rating and routing issues raised in the Amended Petition.

19 **Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY**
20 **SOFTWARE AND HARDWARE TO ACTUALLY PORT A NUMBER?**

21 A: Yes.

22 **Q: WHAT ARE THE ESTIMATED LNP SOFTWARE AND HARDWARE**
23 **IMPLEMENTATION COSTS?**

1 A: The total cost for software and hardware is \$564,250.00.

2 **Q: WHAT IS THE ANTICIPATED DATE BY WHICH THE LNP TESTING**
3 **WILL BE COMPLETED FOR EACH EXCHANGE?**

4 A: Testing is complete.

5 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
6 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
7 **ORDER TO PORT A NUMBER?**

8 A: Office code and number, administrative functions, general computer software
9 changes, data dips in various databases, general office labor.

10 **Q: WHAT IS THE DATE BY WHICH THESE LNP "BACK OFFICE"**
11 **FUNCTIONS WILL BE COMPLETED FOR EACH EXCHANGE?**

12 A: Training of Cooperative personnel and general computer applications are complete –
13 database and LERG changes may not be.

14 **Q: WHAT ARE THE ESTIMATED LNP "BACK OFFICE"**
15 **IMPLEMENTATION COSTS FOR YOUR COMPANY?**

16 A: \$140,000.00.

17 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
18 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
19 **INTERMODAL PORTING?**

20 A: This is not known at this time. National Exchange Carrier Association (NECA) is
21 responsible for establishing the rate based on our allowable costs. I have been
22 informed that NECA will not be able to do this until July, 2004.

1 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
2 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
3 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

4 A: One (1).

5 **Q: HAS YOUR COMPANY HAD TO RESPOND TO ANY REQUESTS FOR**
6 **LNP FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
7 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

8 A: Yes.

9 **Q: DOES YOUR COMPANY CURRENTLY HAVE ANY AGREEMENTS IN**
10 **PLACE WITH A WIRELESS CARRIER THAT ADDRESS HOW END USER**
11 **TRAFFIC IS TO BE PHYSICALLY EXCHANGED BETWEEN THE TWO**
12 **COMPANIES?**

13 A: Yes.

14 **Q: CAN YOU DESCRIBE THOSE AGREEMENTS?**

15 A: Written and verbal agreements that establish trunk connections and traffic per MOU
16 rates.

17 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
18 **CONNECTION TO A TANDEM OFFICE?**

19 A: While we have physical connections to a tandem office of BellSouth, I am not aware
20 of any authority that would allow my company alone to decide to place traffic
21 destined to a wireless carrier over those facilities. Moreover, our responsibility for
22 those facilities -- both technically and economically -- ends at our service area

1 boundary. put another way, we do not have responsibility for the transport of any
2 traffic beyond our existing network and service area.

3 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
4 **TO SEND A CALL TO A WIRELESS PROVIDER?**

5 A: Anytime that a call is placed on facilities and carried to another point on my network
6 or that of another carrier there are transport costs involved. As I indicated above,
7 however, any transport obligations we may have for traffic ends at our existing
8 network/service boundary.

9 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
10 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

11 A: No. Our existing rates afford us recovery for the operation of our network alone
12 Those operations, including the deployment of facilities in our network and the
13 maintenance of our network, are derived from a limited number of sources -- our
14 local rates and access charges.

15 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT WOULD TRANSPORT**
16 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
17 **WIRELESS PROVIDER?**

18 A: No, and that is the major point. As Mr. Watkins notes (and I agree with him), the
19 FCC's directives regarding our responsibility in a wireless number porting
20 environment simply are difficult to reconcile with our existing operations. Our
21 existing carrier arrangements, our rates, our network, and our responsibility for that
22 network do not contemplate porting until the transport issues are resolved.
23 Moreover, we do not believe that either our company or end users should be exposed

1 to the costs associated with transporting traffic beyond our network until the
2 questions noted by Mr Watkins are answered. It is my understanding that the TRA
3 will be addressing this issue in the separate, on-going arbitration proceeding.
4 Alternatively, as explained by Mr. Watkins, the FCC may weigh in on the issue.
5 Certainly, the TRA could decide this issue in this docket.

6 **Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
7 **THE TRA TO CONSIDER?**

8 A: No.

1
**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:)	
)	
TENNESSEE COALITION OF RURAL)	
INCUMBENT TELEPHONE COMPANIES)	DOCKET NO. 03-00633
AND COOPERATIVES REQUEST FOR)	
SUSPENSION OF WIRELINE TO WIRELESS)	
NUMBER PORTABILITY OBLIGATIONS)	
PURSUANT TO SECTION 251(f)(2) OF THE)	
COMMUNICATIONS ACT OF 1934, AS)	
AMENDED)	
)	
)	

**TESTIMONY OF KERRY WATSON ON BEHALF OF YORKVILLE TELEPHONE
COOPERATIVE**

1 **Q: PLEASE STATE YOUR NAME, EMPLOYER, BUSINESS ADDRESS, AND**
2 **TELEPHONE NUMBER.**

3 A: Kerry Watson, Yorkville Telephone Cooperative, 4 Newbern Highway, Yorkville,
4 Tennessee 38389, (731) 643-6121.

5 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

6 A: Yorkville Telephone Cooperative.

7 **Q: WHAT ARE YOUR CURRENT POSITION, DUTIES, AND**
8 **RESPONSIBILITIES AT YORKVILLE TELEPHONE COOPERATIVE?**

9 A: I am currently the General Manager of Yorkville Telephone Cooperative and oversee
10 a staff of 19 employees. I oversee the daily operations of a small telephone
11 cooperative consisting of approximately 2000 landline customers, 8,000 wireless
12 subscribers and internet/DSL.

13 **Q: AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND BUSINESS**
14 **ACCESS LINES DOES YOUR COMPANY HAVE?**

15 A: Residential -- 1851; Business -- 122.

16 **Q: DOES YOUR COMPANY OPERATE WITHIN THE TOP 100 MSA'S?**

17 A: No.

18 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
19 **PORTING FROM A WIRELINE CARRIER PRIOR TO MAY 24, 2003?**

20 A: No.

21 **Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER**
22 **PORTING FROM A WIRELESS CARRIER WITH A POINT OF**
23 **INTERCONNECTION IN ANY OF YOUR RATE CENTERS?**

1 A: No.

2 Q: DID YOUR COMPANY RECEIVE A REQUEST FOR LOCAL NUMBER
3 PORTING FROM A WIRELESS CARRIER THAT HAS NUMBERING
4 RESOURCES IN YOUR RATE CENTERS?

5 A: No.

6 Q: WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU REFERRING
7 TO YOUR EXCHANGE(S)?

8 A: Yes

9 Q: FOR WHAT EXCHANGE(S) IS YOUR COMPANY SEEKING A
10 SUSPENSION OF ITS INTERMODAL PORTING OBLIGATIONS?

11 A: Yorkville -- 731, 643; Brazil -- 731, 559; Mason Hall -- 731, 673; and Trimble --
12 731, 297.

13 Q: WHAT IS THE SPECIFIC RELIEF YOU ARE SEEKING FROM THE TRA
14 IN CONNECTION WITH YOUR PETITION?

15 A: A suspension of our company's LNP obligations until the latter of (1) July 31, 2004,
16 the date our switch and back office responsibilities will be LNP ready; (2) six
17 months after the date the appeal of the FCC LNP Order is completed, currently
18 pending before the United States Court of Appeals for the D.C. Circuit, Case No. 03-
19 1443, or (3) six months after the date the TRA resolves the policy issues related to
20 the transport or rating and routing issues raised in the Amended Petition.

21 Q: DOES YOUR SWITCH CURRENTLY HAVE THE NECESSARY
22 SOFTWARE AND HARDWARE TO ACTUALLY PORT A NUMBER?

23 A: Yes.

1 **Q: WHAT IS THE ANTICIPATED DATE BY WHICH THE LNP TESTING**
2 **WILL BE COMPLETED FOR EACH EXCHANGE?**

3 A: We currently plan our internal testing of the software and hardware modifications of
4 LNP capability by July 31, 2004. Thereafter, we will be able to coordinate testing
5 with any requesting wireless carrier at a mutually convenient time in order to help
6 ensure that the goal of any LNP – the completion of end user traffic – can occur.

7 **Q: WHAT ADMINISTRATIVE OR "BACK OFFICE" FUNCTIONS HAVE YOU**
8 **IDENTIFIED THAT WILL BE REQUIRED TO BE IMPLEMENTED IN**
9 **ORDER TO PORT A NUMBER?**

10 A: In our March 24th Amended Petition, we identified the necessary back office
11 functions that we needed to undertake. Since that time, the Company has
12 accomplished the following items: all contracts have been signed and implemented
13 with Neustar and the NPAC. We will be utilizing the NPAC Hotline for any porting
14 requests. Several aspects still remain. We are still in testing phases for all
15 exchanges which should be completed within the next two weeks.

16 **Q: WHAT IS THE DATE BY WHICH THESE LNP "BACK OFFICE"**
17 **FUNCTIONS WILL BE COMPLETED FOR EACH EXCHANGE?**

18 A: If all goes as planned, we anticipate that we will have in place all of our necessary
19 back office functions by no later than July 31, 2004. I note that some of the items I
20 have listed are not really within our control to finalize and we will need to wait for
21 those parties to finalize the arrangements before we can proceed. The specific items
22 I am referring to are tandem switch integration and testing. I understand from our
23 vendors Mitel and Tecore that the activity should be completed by June 15, 2004.

1 **Q: DO YOU AGREE WITH THE TESTIMONY OF MIKE HICKS OF TDS**
2 **TELECOM DESCRIBING THE BACK OFFICE DUTIES THAT ARE**
3 **REQUIRED TO IMPLEMENT LNP?**

4 A: Yes.

5 **Q: WHAT ARE THE ESTIMATED LNP "BACK OFFICE"**
6 **IMPLEMENTATION COSTS FOR YOUR COMPANY?**

7 A: So far, we have expended approximately \$7,000.00.

8 **Q: WHAT IS THE ESTIMATED COST PER END USER OF THE COSTS THAT**
9 **YOUR COMPANY HAS OR WILL INCUR TO IMPLEMENT**
10 **INTERMODAL PORTING?**

11 A: Because we are only in the middle of the process required to arrange for all of the
12 necessary end office and back office functions, I am not sure we can provide an all-
13 inclusive number at this time. What I do know, however, is that we have spent
14 approximately \$5,920 for database engineering for the LNP compliance switches we
15 already have and that we estimate an additional yearly contract fee of \$1,000 with
16 our SS7 network provider, TSI. Further, there will be additional administrative costs
17 incurred with training a staff member to learn the functions and processes related to
18 LNP. Overall, we estimate our total costs will be \$30,000 to implement LNP.

19 **Q: HOW MANY REQUESTS HAS YOUR COMPANY HAD FROM ONE OF**
20 **YOUR CUSTOMERS ASKING TO PORT HIS/HER EXISTING**
21 **TELEPHONE NUMBER TO A WIRELESS CARRIER?**

22 A: None.

1 **Q: HAS YOUR COMPANY HAD TO RESPOND TO ANY REQUESTS FOR**
2 **LNP FROM A COMPETITIVE LOCAL EXCHANGE CARRIER FOR THE**
3 **EXCHANGES THAT ARE THE SUBJECT OF THIS PETITION?**

4 A: No.

5 **Q: DOES YOUR COMPANY CURRENTLY HAVE ANY AGREEMENTS IN**
6 **PLACE WITH A WIRELESS CARRIER THAT ADDRESS HOW END USER**
7 **TRAFFIC IS TO BE PHYSICALLY EXCHANGED BETWEEN THE TWO**
8 **COMPANIES?**

9 A: No we do not. In fact, we believe the TRA is well aware of the status of connecting
10 arrangements between the smaller Independent Telephone Companies (like my
11 company) arising from the status of Docket Nos. 00-00523 and 03-00585 through
12 00589. As the TRA is aware, those proceedings address efforts to establish proper
13 terms and conditions for the exchange of end user traffic with a wireless carrier.
14 From my perspective, the fact that the proceeding is on-going demonstrates that the
15 terms and conditions do not exist. In any event, I will defer to Mr. Watkins to
16 explain in detail what that arbitration entails should questions arise that are necessary
17 to answer in this proceeding.

18 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
19 **CONNECTION TO A TANDEM OFFICE?**

20 A: While we have physical connections to a tandem office of BellSouth, I am not aware
21 of any authority that would allow my company alone to decide to place traffic
22 destined to a wireless carrier over those facilities. Moreover, our responsibility for
23 those facilities – both technically and economically – ends at our service area

1 boundary. Put another way, we do not have responsibility for the transport of any
2 traffic beyond our existing network and service area.

3 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT REQUIRED**
4 **TO SEND A CALL TO A WIRELESS PROVIDER?**

5 A: Yes. Anytime that a call is placed on facilities and carried to another point on my
6 network or that of another carrier there are transport costs involved. As I indicated
7 above, however, any transport obligations we may have for traffic ends at our
8 existing network/service boundary.

9 **Q: IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
10 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

11 A: No. Our existing rates afford us recovery for the operation of our network alone.
12 Those operations, including the deployment of facilities in our network and the
13 maintenance of our network, are derived from a limited number of sources -- our
14 local rates and access charges. I also note that when I use the term local rates, that
15 also includes surcharges since my customers see these as listed on their local
16 telephone bill and they consider them part of the local service.

17 **Q: DOES YOUR COMPANY UNDERSTAND HOW IT WOULD TRANSPORT**
18 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
19 **WIRELESS PROVIDER?**

20 A: No, and that is the major point. As Mr. Watkins notes (and I agree with him), the
21 FCC's directives regarding our responsibility in a wireless number porting
22 environment simply are difficult to reconcile with our existing operations. Our
23 existing carrier arrangements, our rates, our network, and our responsibility for that

1 network do not contemplate porting until the transport issues are resolved.
2 Moreover, we do not believe that either our company or end users should be exposed
3 to the costs associated with transporting traffic beyond our network until the
4 questions noted by Mr. Watkins are answered. It is my understanding that the TRA
5 will be addressing this issue in the separate, on-going arbitration proceeding.
6 Alternatively, as explained by Mr. Watkins, the FCC may weigh in on the issue.
7 Certainly, the TRA could decide this issue in this docket.

8 **Q: DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED PORTING**
9 **FROM YOUR COMPANY HAVE, IN YOUR OPINION, ADEQUATE**
10 **COVERAGE IN YOUR SERVICE AREA?**

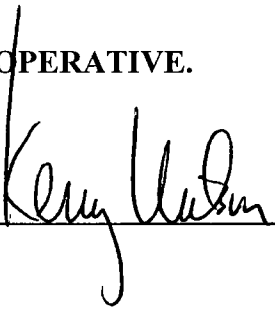
11 A: As with any wireless or cellular carrier, there will always be inadequate areas of
12 coverage. Within our cooperative structure, we also have a cellular arm, consisting
13 of approximately 8,000 cellular subscribers. Although we have over 21 total cell
14 sites, improvements in our service area can always be made.

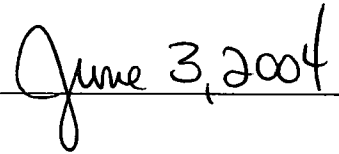
15 **Q: DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
16 **THE TRA TO CONSIDER?**

17 A: No.

1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF YORKVILLE TELEPHONE**
3 **COOPERATIVE.**

4
5



Date: 

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**TENNESSEE COALITION OF RURAL
INCUMBENT TELEPHONE COMPANIES
AND COOPERATIVES REQUEST FOR
SUSPENSION OF WIRELINE TO WIRELESS
NUMBER PORTABILITY OBLIGATIONS
PURSUANT TO SECTION 251(f)(2) OF THE
COMMUNICATIONS ACT OF 1934, AS
AMENDED**

DOCKET NO. 03-00633

**TESTIMONY OF STEVEN E. WATKINS ON BEHALF OF THE TENNESSEE
COALITION OF RURAL INCUMBENT TELEPHONE COMPANIES AND
COOPERATIVES**

1 **I. INTRODUCTION**

2 **Q: PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND TELEPHONE**
3 **NUMBER.**

4 A: My name is Steven E. Watkins. My business address is 2120 L Street, N.W., Suite 520,
5 Washington, D.C., 20037 My business phone number is (202) 296-9054.

6 **Q: WHAT IS YOUR CURRENT POSITION?**

7 A: I am Special Telecommunications Management Consultant to the Washington, D. C. law
8 firm of Kraskin, Moorman & Cosson, LLC, which provides legal and consulting services to
9 telecommunications companies.

10 **Q: WHAT ARE YOUR DUTIES AND RESPONSIBILITIES AT KRASKIN,**
11 **MOORMAN & COSSON, LLC?**

12 A: I provide telecommunications management consulting services and regulatory assistance to
13 smaller local exchange carriers ("LECs") and other smaller firms providing
14 telecommunications and related services in rural areas. My work involves assisting client
15 LECs and related entities in their analysis of regulatory requirements and industry matters
16 requiring specialty expertise; negotiating, arranging and administering connecting carrier
17 arrangements; and more recently assisting clients in complying with the rules and regulations
18 arising from the passage of the Telecommunications Act of 1996. On behalf of over one
19 hundred and fifty (150) other smaller independent local exchange carriers, I am involved in
20 regulatory proceedings in several other states examining a large number of issues with
21 respect to the manner in which the Act should be implemented in those states Prior to

1 joining Kraskin, Moorman & Cosson, I was the senior policy analyst for the National
2 Telephone Cooperative Association ("NTCA"), a trade association whose membership
3 consists of approximately 500 small and rural telephone companies. While with NTCA, I
4 was responsible for evaluating the then proposed Telecommunications Act, the
5 implementation of the 1996 revisions to the Communications Act of 1934, as amended (the
6 "Act") by the Federal Communications Commission ("FCC") and was largely involved in the
7 association's efforts with respect to the advocacy of provisions addressing the issues
8 specifically related to rural companies and their customers.

9 **Q: HAVE YOU PREPARED AND ATTACHED FURTHER INFORMATION**
10 **REGARDING YOUR BACKGROUND AND EXPERIENCE?**

11 A: Yes, this information is included in Attachment A following my testimony.

12 **Q: WHAT IS LOCAL NUMBER PORTABILITY?**

13 A: Local Number Portability ("LNP") is defined in Section 153 of the Act as:

14 The term "number portability" means the ability of users of
15 telecommunications services to retain, at the same location, existing
16 telecommunications numbers without impairment of quality, reliability, or
17 convenience when switching from one telecommunications carrier to another.

18 This type of number portability is referred to as "Service Provider
19 Portability." While maybe not exactly perfect, LNP allows an end user to continue to
20 use the same telephone number at his/her current location when switching service
21 providers.

22 **Q: WHAT IS MEANT BY INTERMODAL PORTING?**

1 A: The term is meant to signify LNP where the number is ported from its prior use by a wireline
2 telephone company in the provision of "plain old telephone service" ("POTS") at a fixed
3 location within a specific geographic area to use by a mobile customer of a wireless carrier in
4 the provision of mobile service, and vice versa.

5 **Q: IS NUMBER PORTING A "FUNCTION" OR A "SERVICE?"**

6 A: It relates to a functional capability of a carrier. It is the capability of a carrier to identify the
7 carrier that is providing service to an end user with a specific number. When calls are placed
8 to numbers that may have been ported, number portability is the function of querying a
9 database to determine the identity of the carrier that is serving the end user using the specific
10 number in question. After the identity of the carrier is determined using number portability
11 hardware and software, a carrier must also determine how a call may and will be transported.
12 Therefore, number portability is one of multiple functions -- the identification of which
13 carrier is serving the end user being called -- that is necessary to complete a call a number
14 that has been ported. As explained in more detail, LNP is not a "service" because it does not
15 ensure that end user traffic is properly routed for completion.

16 **II. PURPOSE OF THIS TESTIMONY**

17 **Q: ON WHOSE BEHALF ARE YOU TESTIFYING?**

18 A: I am testifying on behalf of the Tennessee Coalition of Incumbent Rural Telephone
19 Companies and Cooperatives in the docket captioned above (to be referred to as the
20 "Petitioners").

21 **Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

22 A: My testimony addresses whether grant of the Amended Petition filed by the Petitioners

1 seeking suspension of LNP requirements pursuant to Section 251(f)(2) of the
2 Communications Act of 1934, as amended ("Act") is in the public interest and consistent
3 with the criteria regarding economic burdens and feasibility.

4 There are two distinct issues in this case. First is the issue of a suspension for those
5 Petitioners who will not be ready to perform LNP by July 23, 2004, the expiration day of the
6 current interim suspension granted by the Tennessee Regulatory Authority ("TRA") to the
7 Petitioners. Those Petitioners are as follows:

- 8 1. Ardmore Telephone Company, Inc.
- 9 2. Bledsoe Telephone Cooperative
- 10 3. DeKalb Telephone Cooperative, Inc.
- 11 4. Highland Telephone Cooperative, Inc.
- 12 5. Loretto Telephone Company, Inc.
- 13 6. Millington Telephone Company
- 14 7. Crockett, Peoples and West Tennessee Telephone Companies
- 15 8. Yorkville Telephone Cooperative

16 Based on the information these Petitioners have provided, a suspension is needed
17 until a discrete time as noted on Attachment A to the Amended Petition, as amended by the
18 Petitioners' Statements of LNP Technical Capacity, to allow them time to install the
19 hardware, software and back office systems necessary to perform LNP. The requested
20 suspension for this aspect of compliance with the FCC's intermodal porting directives is for
21 only a few months, with the longest request being until the end of 2004. Consistent with 47
22 U.S.C. § 251(f)(2)(A), a suspension is warranted to avoid significant adverse economic

1 impact on end users and to avoid undue economic burdens and technically infeasible
2 requirements on these Petitioners. If the suspension requests as set out in Attachment A to
3 the Amended Petition are not granted, then these Petitioners will be forced to try to accelerate
4 vendor schedules which are beyond their control, potentially pay extra costs, and use
5 additional personnel resources to accomplish the LNP requirements in a timetable that may
6 not be feasible. Because so much of the LNP obligations depend on the efforts of third party
7 vendors, the Petitioners do not have total control over the timetable. Granting this aspect of
8 the suspension until a time that these Petitioners can have the systems ready to perform LNP
9 is certainly within the public interest to ensure the proper equipment, software, and processes
10 are in place. All of these Petitioners are implementing LNP, they just need additional time.

11 The second aspect of this Amended Petition, which is common to all Petitioners, is
12 the issue of how to transport calls to a ported number. My testimony goes into great detail as
13 to the nature of this issue and why it is in the public interest to suspend LNP requirements for
14 the Petitioners until the policy issue of transporting calls is resolved either by the TRA in the
15 pending CMRS Arbitration, Docket Nos. 03-00523 and 00-00585 through 00589, or in the
16 appeal of the various FCC LNP orders pending before the United States Court of Appeals for
17 the D. C. Circuit. Moreover, the uncertainty of the transport issue results in either an adverse
18 economic impact on end users should the calling party be forced to pay a long distance
19 charge for calls made to a ported number or a undue economic burden on the Petitioners if
20 they are forced to bear the transport expense for such calls. In either event, until guidance is
21 given by the TRA or the FCC as to how such calls should be handled, the LNP process is not
22 technically feasible.

1 Therefore, the interests of all parties, including the Petitioners, their customers, and
2 policymakers, would be better served by the grant of the suspension requests until such time
3 as the uncertain transport issues are resolved. Suspension of the LNP requirements is also
4 consistent with sound public policy because it would assure that the public interest would be
5 examined properly only after all of the relevant implementation issues have been resolved.
6 Moreover, since there is little, if any demand, for intermodal porting in the Petitioners'
7 service areas, the additional time being requested allows for the proper implementation of
8 intermodal porting pursuant to the guidance of the TRA.

9 **III. RELIEF REQUESTED**

10 **Q: WHAT RELIEF IS APPROPRIATE FOR THE PETITIONERS?**

11 A: The Commission should extend the current interim suspension of the LNP requirements for
12 the seven Petitioners listed above until they have the hardware, software, and back office
13 systems necessary to port a number to a wireless carrier, which corresponds with the dates
14 given to the TRA in their testimony. Consideration must be given to the operational
15 characteristics of each Petitioner. In addition, a suspension for all Petitioners is warranted
16 until six months after a decision has been rendered in the pending CMRS arbitration before
17 the TRA and the appeal of the FCC orders in the U. S. Court of Appeals is fully resolved,
18 including any further and final disposition of the remaining rulemaking issues and the
19 resolution of the routing issues that the FCC explicitly has left to be resolved later arising
20 from its November 10, 2003 Order on LNP ("*Nov. 10 Order*").

21 This relief would avoid the potential waste of resources by Petitioners in an attempt
22 to implement what are currently a confusing, incomplete and inconsistent set of requirements

1 that cannot be implemented in any rational manner given the status of the Petitioners' and the
2 wireless carriers' networks. Without suspension, the Petitioners would find themselves in
3 the untenable position of attempting to implement some uncertain service and porting
4 method that may require them to incur costs that may go unrecovered.

5 **IV. UNRESOLVED IMPLEMENTATION ISSUES**

6 **RELATED TO THE PUBLIC INTEREST EVALUATION.**

7 **Q: ARE THERE REASONS WHY LNP IS NOT IN THE PUBLIC INTEREST?**

8 A: Yes. There are unresolved issues associated with the ultimate routing (*i e.*, transport) of calls
9 to telephone numbers ported to wireless carriers that are relevant to the evaluation here.
10 Moreover, in the *Nov 10 Order*, the FCC asked for further comment on whether the porting
11 interval should be reduced and on how to implement wireless to wireline LNP. The
12 resolution of these issues is unknown, and the manner in which each will be resolved will
13 further affect the Petitioners and their end users and could require Petitioners to incur
14 additional costs in connection with LNP.

15 **Q: DID THE FCC'S NOV. 10 ORDER ON INTERMODAL NUMBER PORTABILITY**
16 **RECONCILE THE FACTS OF RURAL LECS WITH THE REQUIREMENT TO**
17 **PROVIDE INTERMODAL LNP WHEN THERE IS NO SERVICE ARRANGEMENT**
18 **WITH THE WIRELESS CARRIER "IN THE SAME LOCATION?"**

19 A: No. The FCC's *Nov 10 Order* is, at best, incomplete in that it fails to address with clarity
20 and completeness the fact that there may be no wireless carrier arrangements in place "at the
21 same location" (which is the situation confronting most of the Petitioners), the obvious
22 "location portability" aspect of mobile service, or the remaining rate center disparity issues

1 articulated by the industry workgroup discussed below. Many of the FCC's statements in its
2 recent orders on number portability with respect to service locations of wireline LECs, rate
3 center areas, the geographic scope of the operations and service offerings of wireless carriers,
4 and mobile users are inexplicably inconsistent with the facts confronting the Petitioners,
5 previous FCC conclusions, and existing regulation.

6 **A. ROUTING ISSUES**

7 **Q: DO THE UNRESOLVED AND UNCERTAIN ASPECTS OF THE INTERMODAL**
8 **NUMBER PORTABILITY REQUIREMENTS CAUSE REAL WORLD**
9 **IMPLEMENTATION CONSEQUENCES FOR THE PETITIONERS?**

10 A: Yes. The *Nov. 10 Order* does not automatically create service arrangements between the
11 Petitioners and the wireless carriers. Nor does the *Nov. 10 Order* clearly answer questions
12 about the manner in which calls to ported numbers of mobile users will be treated from a
13 service definition basis, how such calls will be transported to locations beyond the LECs'
14 service territories, and over what facilities these calls will be routed.

15 **Q: WHAT ARE THE SO-CALLED "ROUTING" ISSUES WITH RESPECT TO**
16 **INTERMODAL PORTING?**

17 A: Foremost, the wireless carrier to which the number may be ported may not have any existing
18 service arrangements with the wireline LEC in the specific geographic area where the
19 wireline LEC provides service using that number (*i.e.*, in the geographic area that constitutes
20 "the same location"). Accordingly, even if the carriers knew that the number had been ported
21 to a wireless or wireline carrier providing service in another location, there would not be any
22 trunking arrangement in place (other than handing off the calls to interexchange carriers) to

1 complete the call. I am not aware of any LEC, including the Petitioners, that has network
2 arrangements for the delivery of local exchange service calls to, and the exchange of
3 telecommunications with, carriers that operate at distant locations beyond the LEC's actual
4 service area in which local exchange service calls originate. Also, there is no obligation for
5 LECs to establish such extraordinary arrangements. LECs have no obligation to provide at
6 the request of a wireless carrier, at additional cost and expense to the LEC, some
7 extraordinary form of local exchange service calling beyond that which the LEC provides for
8 any other local exchange service call.

9 **Q: WOULD YOU PROVIDE AN EXPLANATION OF SOME OF THE UNCERTAIN**
10 **ASPECTS OF THE FCC'S *NOV. 10 ORDER* WITH RESPECT TO SO-CALLED**
11 **"ROUTING" ISSUES?**

12 **A:** The *Nov 10 Order* neglects to address specific operational and network characteristics of the
13 smaller LECs such as the Petitioners. In this regard, I note the statement of the FCC in a
14 subsequent November 20, 2003 Order on number portability denying a petition challenging
15 the decision:

16 . . . [P]etitioners assert that there is no established method for routing and
17 billing calls ported outside of the local exchange. We note that today, in the
18 absence of wireline-to-wireless LNP, calls are routed outside of local
19 exchanges and routed and billed correctly.

20 Order, CC Docket No. 95-116, FCC 03-298, released November 20, 2003 at para. 6.

21 What this statement fails to acknowledge is that calls routed outside of the
22 Petitioners' local exchanges are routed to interexchange carriers ("IXCs"). Therefore, these

1 types of calls are routed and billed correctly as interexchange calls. The Petitioners do not
2 have any obligation to provision local exchange carrier services that involve transport
3 responsibility or network functions beyond their own networks or beyond their incumbent
4 LEC service areas. Consequently, if the FCC means to presume that calls outside of the local
5 exchanges are routed and billed correctly as local calls, the FCC's statement contained in the
6 second sentence is simply not correct.

7 Furthermore, it is well settled that LECs' interconnection obligations only pertain to
8 their own networks, not to other carriers' networks or to networks in areas beyond their own
9 LEC service areas. While the FCC has generally acknowledged a limitation on a Bell
10 company to route calls no further than to a LATA boundary, the FCC's *Nov. 10 Order*
11 apparently failed to recognize that the Petitioners are physically and technically limited to
12 transporting traffic to points of interconnection on their existing network, and that the
13 obligation to transport a call is only to their existing service territory boundaries. It is my
14 understanding that some companies may have extended their access facilities outside their
15 local networks to provide centralized access services, but these circumstances are exceptional
16 and, in any event, the LECs are compensated for their provision of access services to other
17 carriers. For the Petitioners, telecommunications services provided to end users that involve
18 transport responsibility to interconnection points with other carriers' networks at points
19 beyond a Petitioner's limited service area and network generally are provided by IXC's, not
20 by the Petitioner LECs. The involvement of the Petitioners in such calls is limited to the
21 provision of network functions within their own networks. As such, for calls destined to
22 points "outside of the local exchange," the IXC chosen by the end user is responsible for the

1 transport and network functions for the transmission of the call beyond the Petitioner's
2 network. Accordingly, calls destined to interconnection points beyond the local exchange
3 and service area of a Petitioner are both "routed" and "rated" by the customer's chosen IXC.

4 The wireline LEC that may originate calls to a number that has been ported to a
5 wireless carrier cannot unilaterally provision local calling to this number where there are no
6 arrangements established with the wireless carrier. Just as the introduction of an Extended
7 Area Service ("EAS") route involves the establishment of interconnection and network and
8 business arrangements between two carriers, the ability to exchange local exchange service
9 calls with a wireless carrier also necessitates interconnection and the establishment of the
10 necessary terms and conditions under which traffic may be exchanged. Interconnection
11 occurs as the result of a request and the mutual development of terms and conditions between
12 the carriers for such interconnection. Interconnection with a wireless carrier is not a
13 spontaneous event. The mere deployment of a NPA-NXX, the association of a rate center
14 point with a specific NPA-NXX, and/or the porting of a wireline telephone number to a
15 wireless carrier does not automatically establish interconnection or any expectation that calls
16 can or will be originated as a "local exchange service" call or that calls can be completed on
17 such basis.

18 **Q: DO THE PETITIONERS TYPICALLY HAVE IN PLACE DIRECT**
19 **INTERCONNECTION ARRANGEMENTS OR OTHER SERVICE**
20 **ARRANGEMENTS WITH ALL POTENTIAL WIRELESS CARRIERS THAT**
21 **COULD PORT NUMBERS?**

22 **A:** No This is in contrast to Bell companies which typically do have some form of

1 interconnection and physical trunking arrangements in place with most, if not all, of the
2 wireless carriers that will seek number portability. Quite possibly that would explain some
3 of the incorrect assumptions which are the apparent basis for some of the FCC's statements
4 in its *Nov. 10 Order*. These assumptions are apparently the result of assuming that the
5 experience and operations of the Petitioners are comparable to that of Bell companies.

6 **Q: WHAT WILL BE THE CONSEQUENCES WHEN A WIRELINE NUMBER IS**
7 **PORTED TO A WIRELESS CARRIER THAT HAS NO DIRECT**
8 **INTERCONNECTION ARRANGEMENT OR OTHER SERVICE ARRANGEMENT**
9 **IN PLACE WITH THE WIRELINE LEC?**

10 **A:** The unresolved issues and the fact that no service arrangement may exist with the wireless
11 carrier means that there will be carrier and customer confusion. Where there is no service
12 arrangement between a Petitioner and the wireless carrier to which a number may have been
13 ported, there will be no trunk over which the LEC could direct local exchange service calls to
14 the wireless carrier. The Petitioners have only one available option for the completion of
15 such calls. In such instances, the caller attempting to place a call would receive a message
16 with the instructions that the call cannot be completed as dialed and must be completed using
17 an IXC by dialing 1 plus the 10-digit number. If the customer dials the ported number in this
18 manner, the LEC would hand such call off to the IXC chosen by the originating user, the
19 service is provided by the IXC, the routing of the call would be determined by the IXC, and
20 the end user would be assessed a toll charge by that IXC.

21 **Q: DID THE FCC SAY ANYTHING ELSE CONCERNING THE ROUTING OF CALLS**
22 **TO WIRELESS CARRIERS IN THE NOV. 10 ORDER?**

1 A: Yes. The FCC stated that the routing of calls between wireline and wireless carriers did not
2 need to be resolved in the LNP docket and, instead, it would be addressed in the context of a
3 Declaratory Ruling request filed by Sprint still pending before the FCC.

4 . . . We make no determination, however, with respect to the routing of ported
5 numbers . . . [T]he rating and routing issues raised by the rural wireline
6 carriers have been raised in the context of non-ported numbers and are before
7 the [FCC] in other proceedings. Therefore, without prejudging the outcome
8 of any other proceeding, we decline to address these issues at this time as
9 they relate to intermodal LNP.

10 *Nov. 10 Order*, para. 40, footnotes omitted.

11 **B. OTHER UNRESOLVED AND UNEXPLAINED ISSUES**

12 **Q: WHY IS IT NECESSARY TO DISCUSS THE BACKGROUND AND SEQUENCE OF**
13 **EVENTS LEADING TO THE FCC'S *NOV. 10 ORDER*?**

14 A: As I will explain below, the apparent directives in the FCC's *Nov. 10 Order* have not been
15 logically explained, are not consistent with the FCC's own conclusions and procedural
16 approach, and leave implementation issues unresolved for the Petitioners. The conclusions
17 to be drawn from the FCC's *Nov. 10 Order* are still not clear.

18 **1. BACKGROUND: NUMBER PORTABILITY CONCEPTS**

19 **Q: ARE THERE OTHER "TYPES" OF NUMBER PORTABILITY OTHER THAN**
20 **SERVICE PROVIDER PORTABILITY THAT YOU DISCUSSED EARLIER IN**
21 **THIS TESTIMONY?**

22 A: Conceptually, yes. The FCC has defined a type of number portability called "Location

1 Number Portability.” As I explained earlier, Service Provider Portability is the ability of
2 users of telecommunications services to retain, at the same location, existing
3 telecommunications numbers when switching from one local service provider to another. In
4 contrast, Location Number Portability is the ability of a telecommunications service user to
5 retain her or his same telephone number when moving from one physical location to another.

6 **Q: IS LOCATION NUMBER PORTABILITY PART OF THE DEFINITION OF THE**
7 **ACT?**

8 A: As reflected above, the Act defines “number portability” as the ability for customers to
9 retain, at the same location, their existing numbers when switching carriers. The definition
10 contained in the Act is consistent with only the Service Provider Number Portability
11 definition that the FCC has adopted.

12 **Q: HAS THE FCC ADOPTED REQUIREMENTS FOR LOCATION PORTABILITY?**

13 A: No. Location Number Portability involves geographic and other implementation issues that
14 go beyond those associated with Service Provider Number Portability. With location
15 portability, there is no longer a relationship between the NPA-NXX of the telephone number
16 and the geographic area in which an end user obtains service using that telephone number.
17 Because carriers’ services are based on specific geographic areas and because carriers
18 currently provision service and switch calls based on NPA-NXXs, the “porting” of a number
19 within a particular NPA-NXX to a different geographic area means that carriers are unable,
20 with current technology, to determine the proper service treatment of calls.

1 2. SERVICE “AT THE SAME LOCATION” ISSUES

2 **Q: CAN YOU PROVIDE AN EXAMPLE OF THE INABILITY TO DETERMINE THE**
3 **SERVICE TREATMENT OF CALLS?**

4 **A:** Yes. For example, under current technical capabilities, a carrier would not know whether a
5 call to a location ported number is to a location that is included within the local calling area
6 services offered by the LEC to its end users (such as the local exchange and EAS
7 arrangements) or whether the call is to a distant location that would be an interexchange call
8 subject to provision by the end user’s preferred IXC. In the former example, if the call would
9 be between two end users physically located within the local calling area, the call is treated as
10 a local exchange service call. In the latter example of a toll call originated in one of the
11 Petitioners’ service areas, the call is subject to equal access treatment (*i.e.*, the call is routed
12 to the end user’s presubscribed long distance carrier) and is subject to the terms of either
13 intrastate or interstate access tariffs, and the rate for the call is determined by the end user’s
14 chosen IXC. However, because of the real-world, real-time incapability to know the
15 locations of the two end users involved in the call, implementing any form of Location
16 Number Portability would wreak havoc on the telephone companies and the end users they
17 serve unless and until some new and costly network capability could be developed to
18 determine the location of end users on a real-time basis. Absent this real-time capability, end
19 users would not be able to know what charges they are incurring and the LECs would not
20 know how to recover their costs related to the call. It is for all of these reasons the FCC has
21 not required that LECs implement Location Number Portability at this time.

1 **Q: DID THE FCC CONCLUDE THAT PORTING NUMBERS FROM WIRELINE**
2 **CARRIERS TO WIRELESS CARRIERS FOR USE ON A MOBILE BASIS ACROSS**
3 **THE COUNTRY CONSTITUTES LOCATION PORTABILITY?**

4 A: No. But the FCC did not explain or reconcile its apparent conclusion with the consequences
5 that arise from it, and those aspects of its orders are the reason why the entire industry has
6 been left to “scratch its head” with regard to the meaning to attach to the FCC’s statements.
7 The FCC simply stated its conclusion that porting numbers to a wireless carrier which allows
8 the wireless carrier to provide service on a mobile basis to customers that move across the
9 country does not mean that the service is provided beyond “the same location” and therefore
10 does not, in the FCC’s view, constitute location portability. However, the FCC failed to
11 explain rationally how the porting of a telephone number for use by a mobile wireless service
12 user constitutes retention of its use “at the same location.” In any event, the statement about
13 location portability cannot be reconciled with the facts, and the FCC did not provide the
14 necessary guidance as to how to reconcile its apparent view with current network realities.
15 When a number is ported for mobile wireless carrier use, not only will a wireless carrier use
16 that number to provide service to a mobile user “moving from one physical location to
17 another” -- the exact definition that the FCC prescribed for the concept of location portability
18 -- but more problematic is that, for the Petitioners, the number could be ported to a wireless
19 carrier that does not have any service presence or any interconnection arrangement in the
20 local exchange area associated with the NPA-NXX number prior to its being ported.

21 As is obvious, the FCC’s statements are without sufficient explanation and are
22 contrary to the plain language of the Act. The FCC's apparent conclusion leaves open the

unreasonable possibilities that: (1) a number may be ported to a wireless carrier that has no presence, whatsoever, in the area that constitutes “at the same location;” (2) the wireless carrier can now port that number for use at many different locations, perhaps across the entire nation, well beyond the “same service location;” and (3) the wireline LECs operating in “the same location” have no arrangement, whatsoever, with the wireless carrier to which the number has been ported in that “same location.” Accordingly, the FCC’s orders completely neglect, without sufficient explanation, these facts and circumstances that render the concept “at the same location” meaningless and the conclusions in the *Nov. 10 Order* illogical.

Q: ARE THERE ANY ISSUES THAT ARISE AS A RESULT OF WIRELESS CARRIERS USING THE PORTED NUMBER ON A MOBILE BASIS?

A: Yes. Despite the simple and unexplained statement by the FCC to the contrary, a telephone number currently used by a wireline end user at a fixed location that is subsequently ported to a wireless carrier to be used on a mobile basis automatically involves the use of that telephone number when moving from one physical location to another (unless the wireless user intends to fix the location of her or his wireless phone). The mobile user may not only use the number when moving from one location to another within the original exchange area, but likely will use the number in a much wider geographic area including, for most wireless carriers, the ability to place and receive calls at locations throughout the entire country. Furthermore, the wireless user may subsequently take his or her wireless phone and move to another state and use that telephone number on a full time basis in that other state. As such, the porting of telephone numbers from wireline use to wireless mobile use automatically presents both location portability and service provider portability issues. In the reverse, a

1 mobile user with a telephone number associated with a rate center area in another state (or at
2 some distance away from the wireline LEC but within the same state) can nevertheless use
3 his or her mobile phone in the wireline LEC's local rate center area, but the LEC cannot port
4 that number from the wireless carrier to the wireline LEC's use. This is the disparate
5 competitive situation that the FCC's requirements present which is also the reason why the
6 industry group charged with studying and making recommendations about intermodal porting
7 has never recommended that intermodal porting be adopted specifically because of this
8 geographic disparity issue.

9 **3. THERE HAS BEEN NO RECOMMENDATION AS TO UNRESOLVED ISSUES**
10 **FOR INTERMODAL LNP.**

11 **Q: PRIOR TO THE FCC'S *NOV. 10 ORDER*, WERE THE OBLIGATIONS OF THE**
12 **PETITIONERS CLEAR WITH RESPECT TO INTERMODAL PORTING OF A**
13 **NUMBER TO A WIRELESS CARRIER?**

14 A: No. The rulemaking process that the FCC put in place to resolve the issues associated with
15 the disparity in geographic service areas between wireline and wireless carriers that arise
16 under intermodal porting is still open and the issues are still unresolved. There had been no
17 recommendation or proposal as to how to resolve all of the geographic disparity issues
18 associated with intermodal porting.

19 **Q: WHAT IS THE RULEMAKING PROCESS THAT THE FCC ANNOUNCED THAT**
20 **IT WOULD USE TO EXAMINE AND ADOPT RULES FOR WIRELINE-WIRELESS**
21 **NUMBER PORTABILITY?**

22 A: The FCC recognized in its July 2, 1996 number portability decision that there are complex

1 definition and implementation issues with respect to wireline-wireless number portability as
2 compared to wireline-wireline number portability. These complex issues arose because of
3 the fundamental geographic differences between mobile wireless service areas and wireline
4 service areas. Accordingly, the FCC did not adopt requirements for wireless-wireline
5 number portability at the same time as it adopted the initial rules for wireline-wireline
6 number portability. Instead, in its August 18, 1997 decision, the FCC decided that it would
7 assign the more difficult wireless-wireline issues to an expert industry workgroup (the North
8 American Numbering Council or "NANC") with the intent that the workgroup would study
9 these issues, develop consensus on solutions, and then make "recommendations" to the FCC
10 as to how to resolve the outstanding issues. The FCC's process, then, involves the
11 development of recommendations by the NANC, followed by FCC notice of such
12 recommendations, and the allowance of sufficient time and opportunity for the industry to
13 study the recommendations and comment prior to any such recommendations becoming a
14 regulatory rule.

15 **Q: DID THE FCC ALTER THIS PROCESS IN ITS *NOV. 10 ORDER*?**

16 **A:** No.

17 **Q: HAS THERE BEEN A RECOMMENDATION FROM THE INDUSTRY EXPERT**
18 **WORKGROUP REGARDING PORTING BETWEEN WIRELESS CARRIERS AND**
19 **WIRELINE CARRIERS?**

20 **A:** No, and that is at the heart of the problem here. There has been no explicit recommendation
21 from the industry workgroup that states the manner in which the geographic disparity issues
22 arising from intermodal porting would be solved. There have been reports which attempt to

1 explain the unresolved geographic disparity issues related to porting between wireless and
2 wireline carriers. For example, the NANC reported in both 1999 and 2000, the last two
3 reports that I am aware of on these issues, that the industry could not reach consensus on a
4 resolution of the rate center area disparity issues, and no recommendation on intermodal
5 porting was offered. Nowhere can one find an explicit and complete recommendation as to
6 how the industry group proposed to solve all of the disparate geographic, definition, and
7 operational issues necessary to implement wireline-wireless number portability consistent
8 with the statutory requirements.

9 To add further confusion and uncertainty to this process, the geographic disparity
10 issues were originally related to Location Number Portability, not Service Provider Number
11 Portability. Based on my review of the reports, it appears that early in their deliberations the
12 industry workgroup concluded that if and when Location Number Portability is implemented,
13 the location porting of a number must nevertheless be limited to service within the same rate
14 center. This condition of confining portability to the same rate center area was relevant
15 solely to Location Number Portability, not Service Provider Number Portability. However,
16 the rate center area disparity issue has been inexplicably confused, and the condition of
17 confinement of portability to the same rate center area somehow, over time and without clear
18 explanation, apparently became part of the Service Provider Number Portability
19 considerations. This result is despite the fact that this form of portability is already defined
20 by statute to be “at the same location.”

21 **Q: BASED ON YOUR UNDERSTANDING OF THE NANC RECOMMENDATIONS**
22 **MADE TO DATE, IS THERE ONE THAT YOU CAN POINT TO THAT RESOLVES**

**THE ISSUES THAT YOU HAVE IDENTIFIED REGARDING INTERMODAL
PORTING?**

A: No. Regardless of the confusing course, one cannot find a clear recommendation from the NANC as to how to reconcile these outstanding intermodal porting issues (whether for location or service provider portability), much less any document or proposals that constitutes a clear proposal for comment. The facts are: (1) the disparity in the geographic aspects of wireline and wireless service still remain; (2) when a number is ported to a mobile user, the wireless carrier that is the new service provider may not have any intercarrier network interconnection or service arrangements in place in the original rate center area; (3) the mobile user will most certainly use that number when moving from one location to another; and (4) in all likelihood, the mobile user will use that telephone number in a different rate center than the rate center with which it was originally associated. "At the same location" has been rendered meaningless without proper explanation.

**Q: WHAT CONCLUSIONS CAN YOU DRAW AS A RESULT OF THIS SEQUENCE
OF EVENTS?**

A: The Petitioners had no reason to expect that intermodal number portability, inconsistent with the general understanding of the statute, existing regulation, and the status of industry workgroup efforts, was yet required.

**Q: WHAT HAS BEEN THE RESPONSE OF THE LEC INDUSTRY TO THE FCC'S
ACTION?**

A: It is not surprising that the industry has responded with Court action challenging the *Nov. 10 Order*.

1 **Q: WHAT IS THE STATUS OF THESE PROCEEDINGS?**

2 A: All of these matters await substantive action.

3 **Q: WHY ARE ALL OF THESE UNCERTAINTIES RELEVANT TO THE INSTANT**
4 **REQUESTS FOR SUSPENSION?**

5 A: Because the uncertainties raise the distinct specter that the Petitioners will be making human
6 and economic investments and expending real work resources all in an effort to make a good
7 faith effort to implement LNP when their requirements are unclear.

8 Magnifying this problem is my understanding that no, or very few, wireline customers
9 of the Petitioners have requested to port a number for wireless use. The real world concern is
10 that a portion of the costs already have been incurred without any real purpose or potential
11 benefit that would be afforded to customers. Moreover, after these issues are resolved,
12 Petitioners may find that they would be required to modify their previous implementation
13 activity at additional cost.

14 The requested relief would minimize the possibility of the potential waste of
15 resources in an attempt to implement what is currently a confusing, incomplete and
16 inconsistent set of apparent requirements. As such, the requested relief is fully consistent
17 with the public interest and would recognize the infeasibility of the Petitioners moving
18 forward with efforts based on unknown and ambiguous FCC directives. The requested
19 action would also avoid the significant adverse economic impact on the Petitioners' end
20 users and undue economic burden that will result from an attempt to comply under these
21 uncertain conditions.

22 Without suspension, the Petitioners would find themselves in the untenable position

1 of attempting to implement some way in which numbers would be ported to wireless carriers.
2 However, in such case, as explained in this testimony, some calls may not be completed to
3 their final destination, there will be ensuing customer confusion, customers may receive bills
4 for calls that they do not expect, and the Petitioners will incur costs that may go unrecovered.

5 **4. LACK OF ANY LOGICAL APPLICATION**

6 **OF THE "RATE CENTER AREA" CONCEPT TO MOBILE USERS.**

7 **Q: DO YOU AGREE THAT IT APPEARS THAT MUCH OF THE DISCUSSION AND**
8 **APPARENT DIRECTIVES OF THE FCC DEPEND ON SO-CALLED RATE**
9 **CENTER AREAS?**

10 **A:** Yes.

11 **Q: WHAT IS A RATE CENTER AREA?**

12 **A:** A rate center area is a specific geographic area. Telephone number codes (NPA-NXXs) are
13 assigned and associated with rate center areas with the assumption that these numbers will be
14 used to provide service exclusively within that rate center area (except in the case of wireless
15 carrier mobile users). However, the fact that wireless carriers may not use the NPA-NXX to
16 provide mobile service to the end user in the same rate center area with which the NPA-NXX
17 is associated for wireline service (and similarly a wireless carrier may use a specific NPA-
18 NXX associated with one specific rate center area to provide mobile service in a different
19 wireline rate center area) is at the crux of the geographical rate center area disparity issue
20 between wireless carriers and wireline carriers that has not been resolved.

21 Within a rate center area, there is a designated rate center point (vertical and
22 horizontal coordinates) that carriers may use to calculate airline miles between any two-rate

1 center points. The rate center point is a geographic point that is intended to be the
2 representative point for the entire rate center area for purposes of mileage calculation.

3 The concept of “rate center areas” was developed originally for purposes of
4 calculating charges for interexchange services where the rates were based on mileage.
5 Almost no calling services today depend on mileage. Some carriers’ billing and service
6 administrative processes depend on industry databases (the “Local Exchange Routing Guide”
7 or “LERG”) that associate NPA-NXX telephone numbers with specific rate center areas.
8 However, many small LECs have no need for such reliance and do not necessarily utilize
9 such database tools because they provision their own local exchange carrier services on an
10 individual case basis, based on specific geographic areas included within their local calling
11 area and the establishment of unique physical trunking between those geographic areas.

12 To add to the confusion, the FCC has attempted to extend the use of the word “rate”
13 (with respect to a call) beyond its original meaning, apparently now to mean the
14 determination by a LEC of whether a call is within the definition of what the LEC offers and
15 provides as local exchange service, or whether the call is not. The determination of whether
16 a call, when dialed, is a local exchange service call or an interexchange service call is simply
17 a service definition determination, not rating. As explained in this testimony, the
18 determination of whether a call is a local exchange service call or an interexchange service
19 call is based on the location of the calling and called parties. Under the traditional use of the
20 word, the Petitioners do not generally “rate” local exchange service call at all. These calls
21 are part of an unlimited service for which no “rating” is necessary or applied. Rating was
22 originally a concept relevant only to interexchange services, and the rate center points (V&H)

1 were used to determine the “rate” for the call. But interexchange services typically are no
2 longer rated based on mileage, the only “rating” that takes place for interexchange service
3 calls is in the determination of whether the interexchange service call is intrastate or
4 interstate in nature, based on the V&H coordinates of the called and calling parties, and the
5 duration of the call.

6 **Q: ARE LECS REQUIRED TO RELY ON RATE CENTER INFORMATION OF**
7 **OTHER CARRIERS CONTAINED IN INDUSTRY DATABASES IN THEIR**
8 **PROVISIONING OF INTRASTATE LOCAL EXCHANGE CARRIER SERVICES?**

9 **A:** No. I am aware of no federal regulatory requirement which requires LECs, including the
10 Petitioners, to utilize LERG data that associates a specific NPA-NXX with a specific rate
11 center area as the sole means to determine the scope of local exchange services to be offered
12 to their own customers. As explained below, even the FCC has concluded that this
13 information is generally meaningless with respect to mobile wireless service. The industry’s
14 NPA-NXX assignment guidelines, endorsed by the FCC, which include the administrative
15 processes for the association of a rate center area with an NPA-NXX code, also recognize
16 that not all carriers utilize this information for the definition and billing of services. Many
17 small LECs do not depend solely, nor are they required to do so, on the unsupervised
18 information that other carriers submit for inclusion in the LERG as the means to provision
19 their local exchange services. These LECs may, however, refer to this information as a tool
20 to identify other carriers and their apparent operations.

21 In summary, I am unaware of any federal regulatory requirement that carriers must
22 determine the jurisdiction of a call, or must provision specific local exchange carrier services,

1 based on rate center points that other carriers associate with NPA-NXXs. In fact, the FCC
2 has concluded previously that the telephone number does not determine the jurisdiction of a
3 call when the calling and called parties' locations do not relate to the geographic area
4 associated with the NPA-NXX. The FCC has used the example of callers in the multi-state
5 area surrounding the District of Columbia to illustrate this fact. Because wireless carrier
6 mobile users often cross state lines and are mobile, a cellular customer with a telephone
7 number associated with Richmond, Virginia may travel to Baltimore, Maryland. A call
8 between the mobile user in Baltimore and, for example, a wireline end user in Alexandria,
9 Virginia might appear to be an intrastate call "placed from a Virginia telephone number to
10 another Virginia telephone number, but would in fact be interstate . . ." 11 FCC Rcd 5020,
11 5073, *In the Matter of Interconnection Between Local Exchange Carriers and Commercial*
12 *Mobile Radio Service Providers, and Equal Access and Interconnection Obligations*
13 *Pertaining to Commercial Mobile Radio Service Providers*, CC Docket Nos. 95-185 and 94-
14 54, (1996) at para. 112, underlining added. Similarly, while a call between a wireline end
15 user in Richmond to the mobile user in Baltimore might also appear to be an intrastate call
16 because the call is placed from a Virginia telephone number to another number that also
17 appears to be associated with Virginia, but this call would also in fact be an interstate call.
18 When one end of the call is in Maryland and the other is in Virginia, the call is interstate.
19 The telephone numbers assigned to the users do not determine the jurisdiction.

20 **Q: DOES THE CONCEPT OF A RATE CENTER AREA AND ITS ASSOCIATION**
21 **WITH AN NPA-NXX MAKE SENSE WITH RESPECT TO TELEPHONE**
22 **NUMBERS ASSIGNED TO MOBILE USERS OF WIRELESS CARRIERS?**

1 A: No. It is nonsensical to associate a specific geographic area to a user that, by definition, is
2 expected to be, and most likely will be, mobile across large areas, including potentially
3 across the entire nation. The telephone number does not determine the location of the mobile
4 user. For jurisdictional determinations, the actual physical location of the mobile user
5 determines whether a call is intrastate or interstate. For interconnection purposes, *i.e.* to
6 determine whether a call is within a Major Trading Area ("MTA") or between two MTAs
7 (*i.e.*, intraMTA or interMTA), the location of the cell site serving the mobile user at the
8 beginning of the call is used as the surrogate for the actual geographic service location of the
9 mobile user, not the telephone number. I am not aware of any FCC regulation that requires
10 that the location of a mobile user be based on the telephone number or NPA-NXX used by
11 that mobile user.

12 **Q: DO OTHERS SHARE YOUR VIEWS ABOUT THE LACK OF ANY GEOGRAPHIC**
13 **RELATIONSHIP BETWEEN RATE CENTER AREAS AND MOBILE USERS?**

14 A: Yes. My views are exactly consistent with the FCC's conclusions. In its October 7, 2003
15 number portability order related to wireless-wireless porting, the FCC concluded (at para. 22)
16 that "[b]ecause wireless service is *spectrum-based and mobile in nature, wireless carriers do*
17 *not utilize or depend on the wireline rate center structure to provide service:* wireless
18 licensing and service areas are typically much larger than wireline rate center boundaries, and
19 wireless carriers typically charge their customers based on minutes of use rather than location
20 or distance." (emphasis added). The FCC's conclusion confirms that the specific geographic
21 areas known as rate center areas for wireline LECs have no relevance to the services offered
22 to, or provided to, the typical mobile user of the large wireless carriers.

1 **V. BALANCING COSTS AND POTENTIAL**

2 **BENEFITS WITH THE PUBLIC INTEREST**

3 **Q: WHAT SHOULD THE "PUBLIC INTEREST" DETERMINATION ENTAIL?**

4 A: The determination of the "public interest" should involve an evaluation of the costs of LNP
5 implementation and operation compared to the benefits that LNP implementation would
6 present for consumers.

7 **A. THE COSTS OF LNP**

8 **Q: ARE THE COSTS OF LNP SIGNIFICANT?**

9 A: Yes. There are significant costs associated with implementing LNP including the cost of
10 upgrading switches, accessing the various LNP databases, modifying company processes and
11 training company employees.

12 **Q: WHO BEARS THE COST OF IMPLEMENTING LNP?**

13 A: The customers of the Petitioners will bear the costs of LNP either through an FCC allowed
14 LNP surcharge or through general increases in basic rates. Petitioners may also be forced to
15 bear some of the cost of implementing LNP to the extent that such cost may not be recovered
16 from customers or other carriers.

17 **Q: BUT, DID NOT THE FCC ESTABLISH A COST RECOVERY MECHANISM FOR**
18 **THE PETITIONERS?**

19 A: Yes, but that does not address the surcharge and cost recovery burden that would be placed
20 on the rural users and does not address whether that result would be consistent with the
21 public interest. These charges would be assessed to all of the Petitioners' end users
22 regardless of whether any of these end users desire to port numbers to wireless carriers. This

1 cost recovery burden would not be balanced with any possible public interest objective given
2 the lack of demand for LNP and the surcharges that would be imposed to recover the
3 substantial costs of LNP implementation. Moreover, even for those Petitioners that
4 completed the end office and back office upgrades and systems required for LNP, there still
5 is the issue of the cost of transport of calls destined to wireless carriers that may be
6 improperly imposed upon the Petitioners.

7 **Q: WILL THE PETITIONERS BE ABLE TO ADD NEW CUSTOMERS BY PORTING**
8 **WIRELESS CARRIERS' CUSTOMERS TO THE PETITIONERS' SERVICE?**

9 A: For the most part, no. The manner in which the FCC put in place intermodal porting,
10 inconsistent with the reports from the industry workgroup of NANC that had been charged
11 with examining the intermodal issues, means that there is an extreme disparity between
12 wireline-to-wireless opportunities to port versus wireless-to-wireline. Therefore, for the
13 most part, Petitioners will be able to lose customers if LNP is implemented, but will not be
14 able to get others back. The necessary methods and rules to allow wireless-to-wireline
15 porting that would be competitively fair are the subject of a further rulemaking proceeding
16 before the FCC with no apparent resolution of the geographic disparity issues that are at the
17 root of the issues. *See Nov 10 Order* at paras. 41-44. In the meantime, a competitively
18 unfair version of intermodal LNP is in place.

19 **B. THERE IS A LACK OF DEMAND FOR PORTING.**

20 **Q: WILL CONSUMERS BENEFIT FROM THE IMPLEMENTATION OF LNP BY**
21 **PETITIONERS?**

22 A: Central to the evaluation of whether consumers will benefit from the implementation of LNP

1 is the level of demand that exists for LNP in Petitioners' service areas. It is my
2 understanding that most of the Petitioners have not received any customer inquiries or
3 requests for LNP. In addition with respect to intermodal portability, in those areas where
4 intermodal LNP has already been implemented, there appears to be very little demand from
5 wireline customers to port their numbers to wireless carriers. Rather, the vast majority of
6 wireless ports appear to be from one wireless carrier to another.

7 **Q: DOES THE EXPERIENCE THUS FAR WITH INTERMODAL LNP HAVE ANY**
8 **BEARING ON THE PUBLIC INTEREST EVALUATION?**

9 A: Yes. Based on readily available information, the demand for wireline-to-wireless porting for
10 the non-rural, large local exchange carriers has been small. For example, according to a
11 March 30, 2004 Press Release from the FCC, for the period between November 24, 2003 and
12 March 25, 2004, there were 6,640 informal complaints received regarding wireless LNP.
13 The FCC notes that "most of the complaints concern alleged delays in porting numbers from
14 one wireless carrier to another" and that a "much smaller number of complaints, estimated at
15 just under ten percent of the total, involve alleged delays in porting numbers from wireline
16 carriers to wireless carriers." In any event, the small relative percentage of complaints is
17 likely due to the small number of wireline-to-wireless ports. Neustar reports that 95% of
18 wireless ports have been from one wireless carrier to another and only 5% of wireless ports
19 were between wireline and wireless carriers. *See Communications Daily, NARUC Notebook,*
20 *Vol. 24, No. 46, March 9, 2004 at p. 4.*

21 Further, I can also report that the February 9, 2004 online edition of *RCR Wireless*
22 *News* indicated that there had not been much demand for wireline-to-wireless porting as may

1 have been initially anticipated. The online publication referenced a consumer survey report
2 compiled by CFM Direct that found that very few telecommunications customers have
3 switched their wireline phone numbers to wireless. The article quoted Barry Barnett,
4 executive vice president of CFM Direct, as stating: "Phone portability should have enticed
5 more landline users to switch to wireless, and although the data we have doesn't look at pre-
6 teens, the owners of landline phones are primarily adults. We don't see adults making the
7 shift."

8 While these anecdotes are representative of the experience in the more urban, top 100
9 MSAs, I would expect the interest in rural areas to be even less. Wireless service is less
10 ubiquitous in rural areas, and landline users would be more reluctant to abandon dependable
11 wireline service for a wireless service of less certainty. Generally, for obvious reasons, users
12 do not abandon their wireline service, in any event, upon their first use of wireless service in
13 rural areas.

14 Therefore, as a result of the very limited perceived demand for intermodal LNP
15 experienced to date, the significant and higher costs for the smaller carriers, let alone the
16 technical and operational hurdles and unresolved issues, requiring the Petitioners to rush to
17 support LNP for intermodal purposes at this point lacks a balanced public interest benefit.
18 The public interest demands a balanced and thoughtful approach here, which the grant of the
19 suspension request will allow.

20 **Q: CAN YOU EXPLAIN WHY THERE IS RELATIVELY LITTLE DEMAND FOR**
21 **INTERMODAL LNP?**

22 **A:** Yes. In my opinion, the nature of wireless service in the rural areas of states like Tennessee

1 is such that the public utilizes wireless service in conjunction with wireline service. The
2 quality of service, dependability, and service record of wireline service makes it the reliable
3 source that rural customers want and depend on as their fundamental service. On the other
4 hand, as I expect the Commission is aware from its own experience here in Tennessee,
5 wireless service is not as ubiquitous, lacks predictable capacity and quality of service, has a
6 lower probability of call completion, and suffers from dropped calls. All of these factors
7 mean that rural users who must depend on quality, reliable service due to their remote
8 locations are not going to abandon their wireline service and convert to mobile service for
9 actual use in their rural communities. Their demand for wireless service is more for its
10 mobile capability, and this mobile capability is in addition to their fundamental need for a
11 reliable wireline phone.

12 Therefore, while some customers may try wireless service, decide that it is
13 dependable enough, and subsequently drop their wireline service, they do not do so in a
14 single step, and do not do so with the need to port numbers. In other words, where a
15 customer drops wireline service, it does so without the need to port a number. More likely,
16 the number of wireline customers that will drop wireline service in rural areas and replace it
17 solely with wireless service would be expected to be very small.

18 My conclusions about lack of demand for wireline-wireless LNP are consistent with
19 the FCC's own analysis and statements. In July 2003, the FCC concluded that even though
20 there continues to be increased interest in wireless service:

21 only a small percent of wireless customers use their wireless phones as their
22 only phone, and that relatively few wireless customers have "cut the cord" in

1 the sense of canceling their subscription to wireline telephone service.

2 *Eighth Report*, In the Matter of Implementation of Section 6002(b) of the Omnibus Budget
3 Reconciliation Act of 1993 Annual Report and Analysis of Competitive Market Conditions
4 With Respect to Commercial Mobile Services, released July 14, 2003, at para. 102.

5 Moreover, the FCC concluded in August 2003 that:

6 . . . despite evidence demonstrating that narrowband local services are widely
7 available through [Commercial Mobile Radio Service or “CMRS”] providers,
8 wireless is not yet a suitable substitute for local circuit switching. In
9 particular, only about three to five percent of CMRS customers use their
10 service as a replacement for primary fixed voice wireline service . . . Lastly,
11 the record demonstrates that wireless CMRS connections in general do not
12 yet equal traditional landline facilities in their quality and their ability to
13 handle data traffic.

14 *See Report and Order and Order on Remand and Further Notice of Proposed Rulemaking*,
15 *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*;
16 *Implementation of the Local Competition Provisions of the Telecommunications Act of*
17 *1996; and Deployment of Wireline Service Offering Advanced Telecommunications*
18 *Capability*, CC Docket Nos. 01-338, 96-98, and 98-147, FCC 03-36, released August 21,
19 2003, at para. 445.

20 Finally, consistent with these FCC findings, a 2004 Policy Bulletin of the Phoenix
21 Center for Advanced Legal & Economic Public Policy Studies entitled “Fixed-Mobile
22 ‘Intermodal’ Competition in Telecommunications: Fact or Fiction?” also comes to the same

1 conclusions. See www.phoenix-center.org/PolicyBulletin/PCPB10Final.doc. While the
2 fundamental discussion in the Policy Bulletin is related to the extent of competition with Bell
3 Operating Companies, the bulletin concludes at p. 1 that wireline and wireless telephone
4 services are not “close enough substitutes to be effective intermodal competitors” and at p. 2
5 that “even though there may be exceptions, consumers generally do not consider the two
6 services as sufficiently good substitutes . . .”

7 For all of these reasons, the complementary nature of wireless service means that very
8 few, if any, wireline customers will want to take the single step, at the same time, of
9 abandoning wireline service, porting their number to wireless, and take a chance that they
10 will depend on wireless service. Accordingly, it is not in the public interest for society, and
11 particularly the rural customers of the Petitioners, to unilaterally impose LNP requirements
12 without first considering the specific situation of each Petitioner and answering the uncertain
13 policy questions concerning the transport of calls to ported numbers.

14 VI. CONCLUSION

15 **Q: WHAT CONCLUSIONS DO YOU DRAW FROM YOUR DISCUSSION OF LNP?**

16 A: It is in the best interest of all involved -- Petitioners and users, wireless carriers, and
17 the public -- for there to be a temporary suspension of the LNP obligations until basic issues
18 are resolved affecting all of the Petitioners pertaining to the transport of calls to a ported
19 number. The aftermath of the FCC's *Nov. 10 Order* has left the Petitioners in an untenable
20 position such that although carriers are required to implement LNP if there is a request, the
21 implementation requirements are incomplete and subject to change. These requirements
22 have not been properly established or largely explained, are based on assumptions that are

1 inconsistent with the experience and operations of the Petitioners and/or are inconsistent with
2 the facts and existing regulations. Accordingly, these shortcomings make the fulfillment of
3 intermodal LNP infeasible and unduly economically burdensome given the uncertainty. The
4 Petitioners continue to have concerns about the routing and completion of calls to intermodal
5 ported numbers, the resulting confusion on the part of customers about how to complete calls
6 and the charges for such calls, and the ensuing customer dissatisfaction with the Petitioners,
7 as well as with federal and state regulators, created by this state of uncertainty. Any attempt
8 to implement LNP under these circumstances would result in the imposition of undue
9 economic burdens on the Petitioners and their customers -- a result not consistent with the
10 public interest.

11 With respect to wireless LNP, the evidence is that there would be little, if any,
12 demand by rural customers to abandon wireline service completely and use wireless service
13 exclusively. This current lack of demand combined with the significant costs already
14 incurred by Petitioners or yet to be incurred lay in favor of a deliberate approach by the TRA
15 to implement LNP in a reasonable and measured manner that protects the interests of the
16 Petitioners, their customers, and the public.

17 Further, the eight Petitioners who have not yet been able to install the hardware,
18 software, and back office systems necessary to accomplish LNP should be allowed the
19 additional months needed to accomplish those tasks rather than rushing to implement a
20 service that, as stated above, is of little demand in rural areas. These Petitioners should not
21 be forced to incur substantial costs at a faster pace and to redirect their limited resources into
22 implementation of LNP when the uncertainties surrounding it call for a suspension until the

1 basic policy issues of transporting calls to a ported number have been decided by either the
2 TRA or the FCC.

3 The interests of all of the parties will be better served by the grant of a suspension
4 until such time as the demand for LNP and the costs are balanced consistent with a rational
5 public interest determination and the apparent requirements can be satisfied in an orderly and
6 thoughtful manner. If the Petitioners are required to implement uncertain or infeasible
7 requirements, customers will ultimately bear the harm in the form of greater costs and a
8 redirection of carriers' scarce resources away. The implementation and network issues
9 associated with number portability in the rural areas served by the Petitioners are real and
10 should be addressed in the interest of the overall public, not just with respect to the interests
11 of a very few customers and wireless carriers that may want wireline-wireless number
12 portability at the otherwise greater expense to the vast majority of users. Grant of the
13 suspension would serve an overall and balanced consideration of the public interest.
14 Accordingly, the Petitioners have satisfied the criteria of Section 251(f)(2) of the Act in
15 setting forth the proof necessary to establish technical and feasibility, undue economic
16 burdens on the Petitioners, and adverse economic impact on the end users along with the
17 public interest that is consistent with a suspension of the LNP requirements until the issues
18 raised in the Amended Petition have been resolved.

19 **Q: DOES THIS END YOUR TESTIMONY?**

20 **A:** Yes.

1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF THE TENNESSEE COALITION**
3 **OF INCUMBENT RURAL TELEPHONE COMPANIES AND COOPERATIVES.**

4 
5 _____

Date: 6/03/2004

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:)	
)	
TENNESSEE COALITION OF RURAL)	
INCUMBENT TELEPHONE COMPANIES)	DOCKET NO. 03-00633
AND COOPERATIVES REQUEST FOR)	
SUSPENSION OF WIRELINE TO WIRELESS)	
NUMBER PORTABILITY OBLIGATIONS)	
PURSUANT TO SECTION 251(f)(2) OF THE)	
COMMUNICATIONS ACT OF 1934, AS)	
AMENDED)	
)	
)	

TESTIMONY OF MICHAEL HICKS ON BEHALF OF TDS TELECOM

1 **Q: STATE YOUR FULL NAME, EMPLOYER, CURRENT ASSIGNMENT**
2 **AND BUSINESS ADDRESS.**

3 A: My name is Michael E. Hicks. I am employed by TDS TELECOM and my
4 current position is Manager - Carrier Relations. My business address is 9737
5 Cogdill Road, Suite 230, Knoxville, TN 37922 and my business telephone
6 number is 865-671-4505.

7 **Q. PLEASE PROVIDE A BRIEF SUMMARY OF YOUR EDUCATION AND**
8 **WORK EXPERIENCE.**

9 A: I have a Bachelor of Science in Management from Mississippi State University
10 located in Starkville, MS and a Masters of Business Administration degree from
11 Emory University located in Atlanta, GA. I have been employed by TDS
12 TELECOM for almost 29 years and have held management positions in Plant
13 Operations, Customer Service, Rates and Tariffs Development, External Affairs,
14 Wholesale Services and Carrier Relations. During this time I have prepared and
15 filed numerous tariffs with the Tennessee Regulatory Authority (TRA) and have
16 testified before the TRA on a myriad of issues.

17 **Q. ON WHOSE BEHALF ARE YOU TESTIFYING?**

18 A. The TDS petitioning companies Humphreys County Telephone Company, Tellico
19 Telephone Company and Tennessee Telephone Company (all exchanges except
20 LaVergne, Halls Crossroads and Mount Juliet).

21 **Q. WHAT IS THE PURPOSE OF THIS TESTIMONY?**

22 A. The purpose of this testimony is to provide an overview, based upon the
23 experiences of TDS operating companies in porting numbers to wireline CLEC's

1 over the past year, of the relationships, issues and processes, both internal and
2 external, a LEC must address beyond the equipping of the central office in order
3 to implement Local Number Porting (LNP).

4 **Q. AS OF DECEMBER 31, 2003, HOW MANY RESIDENTIAL AND**
5 **BUSINESS ACCESS LINES DOES EACH OF THE COMPANIES HAVE?**

6 A. The residential and business access line totals are as follows: Humphreys County
7 Telephone Company 506 (Bus) 1,508 (Res); Tellico Telephone Company 1,925
8 (Bus) 7,902 (Res) ; the Tennessee Telephone Company exchanges identified that
9 are included in the requested relief for which suspension is being requested above
10 4,034 (Bus) 18,356 (Res).

11 **Q. DO THE PETITIONING COMPANIES OPERATE WITHIN THE TOP 100**
12 **MSA'S**

13 A. No.

14 **Q. DID THE PETITIONING COMPANIES RECEIVE A REQUEST FOR**
15 **LOCAL NUMBER PORTING FROM A WIRELINE CARRIER PRIOR**
16 **TO MAY 24, 2003 FOR ANY OF THE EXCHANGES FOR WHICH**
17 **RELIEF IS BEING REQUESTED?**

18 A. No.

19 **Q. DID THE PETITIONING COMPANIES RECEIVE A REQUEST FOR**
20 **LNP FROM A WIRELESS CARRIER WITH A POINT OF**
21 **INTERCONNECTION IN ANY OF THE RATE CENTERS FOR WHICH**
22 **RELIEF IS BEING REQUESTED?**

1 A. Yes. Wireless carriers have physical points of connection in our Tennessee
2 Telephone exchanges of Parsons, Waynesboro, and Tellico Telephone exchanges
3 of Tellico Plains, Riceville, Englewood, Ball Play and Coker Creek. While there
4 exists direct interconnection with wireless carriers in these exchanges actual
5 requests for porting have only been received from a wireless carrier at a location
6 where they did not have a point of interconnection.

7 **Q. DID THE PETITIONING COMPANIES RECEIVE A REQUEST FOR**
8 **LNP FROM A WIRELESS CARRIER THAT HAS NUMBERING**
9 **RESOURCES IN THE RATE CENTERS FOR WHICH RELIEF IS BEING**
10 **REQUESTED.**

11 A. Wireless carriers do have numbering resources in the rate centers listed in my
12 answer to the previous question, however, there have not been any requests for
13 LNP at any of these locations from a wireless carrier that has numbering
14 resources in the location for which porting is requested.

15 **Q. WHEN YOU USE THE TERM "RATE CENTERS" ARE YOU**
16 **REFERRING TO YOUR EXCHANGES?**

17 A. Yes.

18 **Q. IT IS INTERESTING YOU USE THE TERM "RELATIONSHIPS", AS**
19 **WELL AS "ISSUES" AND "PROCESSES" NECESSARY TO EQUIP AN**
20 **OFFICE FOR LNP. WHAT TYPE OF EXTERNAL BUSINESS**
21 **RELATIONSHIPS ARE YOU REFERENCING?**

22 A. Obviously, there must be a relationship with the switch vendor in order to obtain
23 the software in the local central office to provide LNP capability. Working

1 through the technical requirements, one finds that in order to complete a call to a
2 ported telephone number, a database must be accessed to obtain routing
3 information. This database service can be provided by a number of entities,
4 including the RBOC. In any event, agreements must be executed with the
5 database provider, orders placed and routing configurations implemented. The
6 LEC must next be able to enter information regarding numbers it is porting in, or
7 porting out, into a national database. The FCC selected NeuStar as the national
8 neutral vendor for the administration of LNP. The LEC must execute agreements
9 with NeuStar and implement a method of entering data into the Number Porting
10 Access Center (NPAC) database in regards to ported numbers. This generally
11 involves establishing either a dial up or dedicated arrangement to the NPAC and
12 training on use by company employees. Another external relationship is with the
13 wireless carrier requesting LNP capability from the LEC. This relationship
14 includes such issues as ordering, testing, scheduling, and trouble reporting.
15 Usually this is accomplished through the exchange of a document that contains
16 appropriate contact information as well as other information necessary to process
17 a porting order. Some providers call this a "Trading Partner Profile." In addition
18 to working with these external parties there exists an industry document called the
19 Local Exchange Routing Guide (LERG). The LERG contains every active
20 NPA/NXX and the central office that is assigned that NPA/NXX. One of the
21 entries associated with the NPA/NXX is whether it is portable. A "yes" in the
22 portability field informs carriers that a LNP database query must be performed in
23 order to determine the routing of a call. The LEC must coordinate the marking of

1 the NPA/NXXs they have been assigned in the LERG with the actual availability
2 of LNP.

3 **Q. INTERNALLY WHAT TYPE OF PROCESSES MUST A LEC HAVE IN**
4 **PLACE IN ORDER TO IMPLEMENT LNP?**

5 A. One of the first questions the LEC must ask itself is how and where do I want to
6 receive orders for porting. Do I want the orders to come into my retail business
7 office or to some other work group? Will the company accept orders via fax, e-
8 mail, or some other electronic medium? Once the company receives an order an
9 internal process is required for implementation. Beyond implementation the
10 company's internal operating records must be updated to reflect the number is
11 ported. The retail business office employees must be trained in order to deal with
12 end user customer inquiries regarding LNP as well as central office employees
13 trained on the work they must do to remove the number from the local company
14 switch.

15 **Q. WILL YOU TAKE A TYPICAL ORDER FOR LNP AND WALK**
16 **THROUGH THE STEPS, PROCESSES, AND DECISIONS REQUIRED**
17 **FOR A SUCCESSFUL IMPLEMENTATION?**

18 A. The process begins with the receipt of the LNP order. In most cases this order will
19 be on one of either two industry recognized documents. There is a Local Service
20 Request (LSR) document that has been in place for some time and used by
21 Competitive Local Exchange Carriers (CLEC). The other document is a LNP
22 order form that was developed for use by the wireless industry. The first step is a
23 validation process that must be performed. It must be verified that the order name

1 and telephone number match that of a current customer and that the order contains
2 all the information required for porting. The order must then be scheduled within
3 the company and a Firm Order Confirmation (FOC) provided to the carrier within
4 24 hours of the receipt of a valid LSR. At this time the internal order process
5 begins within the company. The order flows to the individuals who handle plant
6 records keeping, dispatch and order processing. Plant records must be changed to
7 reflect that the number has been ported and that it is not available for assignment.
8 As well, the records must reflect that trouble reports are not to be accepted on this
9 number. On the date the order is scheduled for porting, central office employees
10 make changes in the switch that allows the number to be ported. Once the number
11 is activated by the carrier porting the number in, the central office technician then
12 physically removes the number from the local switch. At the same time these
13 activities are occurring, other back office processes are also being completed. As
14 stated earlier a FOC is provided the requesting carrier. Upon receipt of this FOC
15 the requesting carrier accesses the NPAC and enters the number for which porting
16 is requested. The LEC must then access the NPAC within 9 hours of this event
17 and make a concurring entry to authorize the transfer. At the scheduled time given
18 in the FOC, the requesting carrier (the "porting in" carrier) performs its central
19 office work (or in the case of a wireless provider, in its Mobile Switching Office)
20 to complete the port and accesses NPAC to activate porting. The LEC receives a
21 broadcast message from NPAC that porting has been activated. Upon receipt of
22 the porting activation message, the LEC's central office technicians must then be
23 notified to remove the number from the LEC switch.

1 **Q. ARE THERE OTHER PROCESSES THAT MUST OCCUR?**

2 A. Yes. For example, once a number is porting out to a wireless carrier there are
3 processes required to remove the customer name, telephone number and location
4 address from the 911 database. Absent this action by the "porting out" carrier,
5 incorrect information will be provided when 911 is dialed from the wireless phone
6 with the ported number. In addition, there must be processes to address removing
7 the number from the company's directory assistance database and from its Line
8 Information Database (LIDB), which pertains to the numbers ability to accept
9 collect calls and 3rd party billing

10 **Q. THIS APPEARS TO BE A GREAT DEAL OF WORK AND**
11 **COORDINATION TO COMPLETE AN ORDER FOR LNP. ARE THERE**
12 **INDUSTRY STANDARDS THAT MUST BE MET FOR THE PROCESS**
13 **TIME?**

14 A. Yes. The industry standard for wireline to wireless porting, established by the
15 FCC, is 4 business days. This is an entire new work process that must be
16 incorporated in the work schedule of existing company forces. The staffing of
17 these forces , in most instances, were not designed to handle this additional work
18 activity.

19 **Q. WHAT HAS BEEN YOUR EXPERIENCE WITH TESTING WITH THE**
20 **WIRELESS CARRIERS?**

21 A. It is our desire to fully test with the wireless carrier prior to taking orders This
22 includes having them issue orders for porting and for a selective series of test calls
23 be made to assure everything works properly. Although the wireless carriers have

1 requested the availability of LNP it has been difficult to schedule testing with
2 them.

3 **Q. WHAT KIND OF PROBLEMS HAVE YOU ENCOUNTERED WITH**
4 **LNP?**

5 A. Probably the most prevalent problem we have encountered in implementing
6 wireline to wireline LNP is getting the class services i.e., caller ID, to function
7 correctly. We have found this is one of the items that reveals itself in the learning
8 stages of implementing LNP. This along with other small issues are better
9 anticipated as our experience grows. Bottom line, testing prior to processing live
10 orders uncovers unanticipated problems prior to their becoming a source of
11 irritation for customers.

12 **Q. WHAT HAPPENS TO A PORTED NUMBER ONCE THE CUSTOMER**
13 **USING THAT NUMBER DISCONNECTS HIS/HER SERVICE?**

14 A. This is what the industry refers to as the "Snap Back Process". Once the end user
15 disconnects his/her service and the telephone number is no longer in use, the
16 carrier that had served that customer will place a recording informing callers that
17 the number is no longer in service. Industry standards establish how long a
18 number must remain unused in these situations before that number can be
19 reassigned to another end user. After this period of time, the carrier porting the
20 number in must make an entry into NPAC returning the number to the switch
21 where the number was originally assigned. Upon receiving the "Snap Back"
22 notification, the LEC may place the number back into its switch and number
23 inventory, thereby allowing that telephone number to be used again.

1

2 **Q. ARE THERE OTHER ISSUES A LEC MUST ADDRESS ONCE LNP HAS**
3 **BEEN IMPLEMENTED?**

4 A. Two other key issues are 1000 -Block Number Pooling and Type 1 wireless
5 interconnection.

6 **Q. PLEASE EXPLAIN THE 1000 BLOCK NUMBER POOLING ISSUE.**

7 A. 1000 -Block Number Pooling was ordered by the FCC in the top 100 MSAs as a
8 means of number conservation. However, the FCC also stipulated that small
9 companies were exempt from participation until their central offices were LNP
10 capable. Therefore, once LNP is activated a LEC must then donate 1000 blocks of
11 numbers to the pool that have less than 10% of numbers within that block assigned
12 and working. Before donating these contaminated blocks the LEC will need to
13 make NPAC entries protecting the numbers it has working. Each 1000 number
14 block donated by the LEC retains the rate center associated with the NPA/NXX
15 where the NPA/NXX was originally assigned. Going forward the LEC or other
16 carriers who have a physical presence in that same rate center will order numbers
17 from the National Number Administrator on a 1000 block level versus an entire
18 NPA/NXX of 10,000 numbers. Quite often, an LEC's billing systems, plant
19 records systems, and other administrative systems are designed around a
20 NPA/NXX level. Once 1000 -Block Number Pooling is implemented changes are
21 required to these back office systems.

22 **Q. WHAT DOES TYPE 1 WIRELESS INTERCONNECTION HAVE TO DO**
23 **WITH LNP?**

1 A. Because of calling scope issues, wireless carriers will often obtain blocks of
2 numbers from small companies and provision them in a manner that is very similar
3 to providing Business Trunk Lines with Direct Inward Dial (DID) numbers. In
4 essence, these numbers are assigned to wireless customers but calls first come
5 through the LEC before being passed to the wireless carrier for completion. From a
6 provisioning perspective, these number blocks are physically in the LEC's switch.
7 The problem arises when there is a request to port the number from one wireless
8 carrier to another wireless carrier. Usually a wireless to wireless port is handled
9 totally within their own Back Office Systems. However, since the number resides
10 in the LEC's switch, the LEC must now be brought into the process.

11 **Q. WHAT IS THE STATUS OF LNP IMPLEMENTATION FOR TDS**
12 **TELECOM PROPERTIES IN TENNESSEE?**

13 A. TDS TELECOM has implemented all the back office processes required for LNP,
14 installed the required switch software and made LNP available in all its Tennessee
15 properties.

16 **Q. WHAT SPECIFIC RELIEF ARE YOU REQUESTING?**

17 A: (1) six months after the date the appeal of the FCC LNP Order is completed,
18 currently pending before the United States Court of Appeals for the D.C. Circuit,
19 Case No. 03-1443, or (2) six months after the date the TRA resolves the policy
20 issues related to the transport or rating and routing issues raised in the Amended
21 Petition.

1 **Q. HOW MANY REQUESTS HAS THE TDS PETITIONING COMPANIES**
2 **HAD FROM ONE OF THEIR CUSTOMERS ASKING TO PORT HIS/HER**
3 **EXISTING TELEPHONE NUMBER TO A WIRELESS CARRIER?**

4 **A.** It is my understanding that we have received very few end user customer
5 inquiries. However, three requests for wireline to wireless porting have been
6 received and thirty-six requests for wireless to wireless porting have been
7 received for wireless numbers that reside within the TDS switch.

8 **Q. HAVE ANY OF THE PETITIONING COMPANIES HAD TO RESPOND**
9 **TO ANY REQUESTS FOR LNP FROM A COMPETITIVE LOCAL**
10 **EXCHANGE CARRIER (CLEC) FOR THE EXCHANGES THAT ARE**
11 **THE SUBJECT OF THIS PETITION?**

12 **A.** No.

13 **Q. DO ANY OF THE PETITIONING COMPANIES CURRENTLY HAVE**
14 **ANY AGREEMENTS IN PLACE WITH A WIRELESS CARRIER THAT**
15 **ADDRESS HOW END USER TRAFFIC IS TO BE PHYSICALLY**
16 **EXCHANGED BETWEEN THE TWO COMPANIES?**

17 **A.** No we do not. In fact, the TRA is aware of the status of connecting arrangements
18 between the smaller Independent Telephone Companies (like my company)
19 arising from the status of Docket Nos. 00-00523 and 03-00585 through 00589.
20 These proceedings address efforts to establish proper terms and conditions for the
21 exchange of end user traffic with a wireless carrier. The fact that the proceeding is
22 on-going demonstrates that the terms and conditions do not exist. In any event, I

1 will defer to Mr.. Watkins to explain in detail what the arbitration entails should
2 questions arise that are necessary to answer in this proceeding.

3 **Q: BUT IT IS CORRECT THAT YOUR COMPANY HAS A PHYSICAL**
4 **CONNECTION TO A TANDEM OFFICE?**

5 A: While we have physical connections to a tandem office of BellSouth, it is our
6 position that our responsibility for those facilities, both technically and
7 economically, ends at our service area boundary. Put another way, we do not
8 believe we have responsibility for the transport of any traffic beyond our existing
9 network and service area.

10 **Q: ARE THERE COSTS ASSOCIATED WITH THE TRANSPORT**
11 **REQUIRED TO SEND A CALL TO A WIRELESS PROVIDER?**

12 A: Yes Anytime that a call is placed on facilities and carried to another point on my
13 network or that of another carrier there are transport costs involved. As I
14 indicated previously, it is our position that any transport obligations we may have
15 for traffic ends at our existing network/service boundary.

16 **Q. IF THESE COSTS WERE IMPOSED ON YOUR COMPANY, DO YOUR**
17 **EXISTING RATES ANTICIPATE THE RECOVERY OF THEM?**

18 A. No. Our existing rates afford us recovery for the operation of our network alone.
19 The recovery of these operating costs, including the deployment of facilities in
20 our network and the maintenance of our network, are derived from a limited
21 number of sources -- our local rates and access charges. I also note that when I
22 use the term local rates, that also includes surcharges, since my customers see

1 these as listed on their local telephone bill and they consider them part of the local
2 service.

3 **Q. DOES YOUR COMPANY UNDERSTAND HOW IT IS TO TRANSPORT**
4 **CALLS MADE TO A NUMBER THAT HAS BEEN PORTED TO A**
5 **WIRELESS PROVIDER?**

6 A: From a technical perspective, yes. Our company will route a call based upon the
7 Local Exchange Routing Guide (LERG) documentation for the terminating end
8 office. However, as Mr. Watkins notes, the FCC's directives regarding our
9 responsibility in a wireless number porting environment simply are difficult to
10 reconcile with our existing operations. Our existing carrier arrangements, our
11 rates, our network, and our responsibility for that network do not contemplate the
12 type of arrangements that apparently others believe we have. Moreover, we do
13 not believe that either our company or end users should be exposed to the costs
14 associated with transporting traffic beyond our network until the questions noted
15 by Mr. Watkins are answered.

16 **Q. DO THE WIRELESS PROVIDERS THAT HAVE REQUESTED**
17 **PORTING FROM YOUR COMPANY HAVE, IN YOUR OPINION,**
18 **ADEQUATE COVERAGE IN YOUR SERVICE AREA?**

19 A: It is my understanding that cellular service doesn't work at all in the Tellico
20 Telephone Company exchanges of Coker Creek and Ball Play, and there is
21 limited coverage in Tellico (exchange) It is also my understanding to date that
22 all the number change requests we have received have been in the Riceville and
23 Englewood exchanges of which cellular coverage is fairly good. In regards to

1 Tennessee Telephone Company, cellular service is sporadic with good reception
2 in some areas and drop or no signal in Parsons, Decaturville, Linden and
3 Lobelville.

4 **Q. DO YOU HAVE ANY ADDITIONAL INFORMATION YOU WOULD LIKE**
5 **THE TRA TO CONSIDER?**

6 A. No.

7 **Q. DOES THAT CONCLUDE YOUR TESTIMONY?**

8 A. Yes it does.

9
10

1 **UNDER PENALTY OF PERJURY I HEREBY AFFIRM THAT THIS IS MY**
2 **TESTIMONY IN THIS MATTER ON BEHALF OF TDS TELECOM.**

3
4 Michael E. Hicks Date: 6/5/2004